



PUBLIC TELEPHONE CONFERENCE

## **DEVELOPMENT ADVISORY COMMISSION** **MEETING AGENDA**

**Thursday, May 28, 2020 - 9:00 a.m.**

**Commission Members please call 228-0207 if unable to attend**

**The public may participate via telephone conference by calling  
(816) 743-4875 – Conference ID: 836 295 840#  
as provided in Section 610.020(4) RSMo.**

**Members of the Development Advisory Commission will be participating via videoconference and/or  
telephone as provided in Section 610.020(1) RSMo.**

*Pursuant to Jackson County Executive Order dated March 12, 2020 and subsequent amendments  
requiring residents to stay at home and limiting public gatherings, this meeting will be conducted by taking  
safe social distancing measures as required by the Order.*

**1 CALL TO ORDER**

A. Approval of May 15, 2020 meeting minutes

**2 REVIEW OF PROJECT APPLICATIONS**

**A. Unified Development Code Text Amendment / UDCT-05-20-7327**

Amend Section 403, Development Review Procedures, to add a new development review application  
for a General Development Plan

**3 OTHER BUSINESS**

**4 ADJOURN**

If special accommodations are required for citizen participation in this meeting,  
**PLEASE CALL 228-0207 (VOICE) OR 228-0250 (TDD)**

Agenda posted at the following locations:

City Hall, 903 W. Main Street

City's website

<http://www.bluespringsgov.com/AgendaCenter>

May 26, 2020

A quorum of the City Council may be in attendance however no City Council votes will be taken.

Community Development



**City of Blue Springs  
903 Main Street  
Blue Springs, Missouri 64015**

**Development Advisory Commission  
MINUTES  
Friday, May 15, 2020**

*A State of Emergency for Jackson County, Missouri was declared on March 12, 2020 and subsequent amendments by Jackson County Executive Order requiring residents to stay at home and limiting public gatherings to reduce the spread of the COVID-19 virus. As provided in Sections 610.020(1) and 610.020(4) RSMo., the Development Advisory Commission participated in this meeting via video-conference and telephone to ensure safe social distancing measures were taken. The public was able to attend via telephone conference.*

A meeting of the Development Advisory Commission of the City of Blue Springs was held at 9:00 a.m. on Friday, May 15, 2020 via video-conference and telephone. The following members, guests and staff were in attendance:

**MEMBERS  
PRESENT**

Orion Berridge  
Mitchell Peil, Chairman

Bruce Reynolds  
Chris White

**STAFF / OTHERS**

Mike Mallon, Acting Director, Community Development  
Matt Wright, Acting Assistant Director, Community Development  
Jackie Sommer, City Attorney  
Galen Ericson, Councilmember Liaison Dist. 1  
Karen Findora, Recording Secretary

Commissioner Bob Frost.

**ABSENT**

**CALL TO ORDER /**

Chairperson Mitchell Peil called the meeting to order at 9:05 a.m.

**ROLL CALL**

Karen Findora, DAC Liaison, called the roll.

**APPROVAL OF  
MINUTES**

Chairperson Peil requested action on the Consent Agenda. Commissioner Chris White moved to approve the May 8, 2020 meeting minutes. Seconded by Commissioner Bruce Reynolds. Motion of approval carried unanimously.

**AGENDA ITEM 2A /  
UNIFIED  
DEVELOPMENT  
CODE            TEXT**

Mike Mallon, Acting Director, Community Development, informed the Commission that the presentation for this meeting is not any different than the one that was presented at the May 8<sup>th</sup> DAC meeting. At the last meeting there was some interest in possibly having a fence task force to further review the UDC fencing requirements and regulations. Staff

**AMENDMENT** / discussed that with the City Administrator, and he didn't feel that a task force would be warranted. The request was to return to the previous fencing requirements for fence facing and the number of permitted materials. Mr. Mallon went through those options again with the Commission. Councilmember Galen Ericson submitted additional photos for the Commission to review. The two recommended amendments will be heard by the Planning Commission at their Tuesday, May 26, 2020 meeting and heard by the City Council at their Monday, June 1, 2020.

**UDCT-03-20-7250** / Amend Chapter 4, Section 407.040.D.3 of the UDC for Fencing

- All fences shall be constructed so that the finished side of the fence faces outward from the property installing the fence, as well as the public right-of-way and the support posts are inside the fence and screened from view.
- Fences shall be constructed out of any of the following materials; however, no fence shall be constructed out of more than two of the materials below:
  - a) Wood or vinyl simulating wood;
  - b) Wrought iron or aluminum simulating wrought iron;
  - c) Stone, brick, concrete with stone or brick veneer, or precast concrete simulated stone or brick; or
  - d) Chain link or vinyl clad chain link in the rear or side yard only, provided all exposed steel shall have a color finished coat or be galvanized.

## DISCUSSION

Councilmember Ericson asked staff if they had researched other cities on their fencing requirements. Mr. Mallon stated that both City of Independence and City of Lee's Summit both have requirements that the finish side of the house face outward from a property or towards a right-of-way. Mr. Mallon stated that he would prefer that both items be voted on separately. Mr. Mallon suggested that the word, "towards" be added to the amendment language.

Commissioner Chris White asked staff if this would be over governing the fence requirements. Mr. Mallon stated that the changes that are presented were in the code for several years. The change for the sides of fences took place in 2018 and the materials took place in 2015. Recently a neighbor complained and the Council requested staff look at revising the code with the changes listed.

**MOTION** / **1<sup>st</sup>**  
**AMENDMENT**  
**AGENDA ITEM 2A /**  
**UNIFIED**  
**DEVELOPMENT**  
**CODE**      **TEXT**  
**AMENDMENT** /  
**UDCT-03-20-7250** /  
Amend Chapter 4,  
Section 407.040.D.3 of  
the UDC for Fencing

407.020.D.3.C.2 All fences shall be constructed so that the finished side of the fence faces outward from the property installing the fence, as well as **towards** the public right-of-way and the support posts are inside the fence and screened from view.

Commissioner Chris White made a motion to consider the first amendment of UDCT-03-20-7250 / Amend Chapter 4, Section 407.020.D.3C.2 of the UDC for Fencing.

## SECOND

Commissioner Orion Berridge.

**VOTE** Bob Frost – Absent Orion Berridge – Aye  
Bruce Reynolds – Absent during vote Chris White – Aye  
Mitchell Peil, Chairperson – Aye  
**(APPROVED 3-Aye, 0-No)**

**MOTION / 2<sup>ND</sup> AMENDMENT** 407.020.D.3.C.4 Fences shall be constructed out of any of the following materials; however, no fence shall be constructed out of more than two of the materials below:  
**AGENDA ITEM 2A / UNIFIED DEVELOPMENT CODE TEXT AMENDMENT / UDCT-03-20-7250 / Amend Chapter 4, Section 407.040.D.3 of the UDC for Fencing**

- a) Wood or vinyl simulating wood;
- b) Wrought iron or aluminum simulating wrought iron;
- c) Stone, brick, concrete with stone or brick veneer, or precast concrete simulated stone or brick; or
- d) Chain link or vinyl clad chain link in the rear or side yard only, provided all exposed steel shall have a color finished coat or be galvanized.

Commissioner Chris White made a motion to consider the second amendment of UDCT-03-20-7250 / Amend Chapter 4, Section 407.040.D.3.C.4 of the UDC for Fencing.

**SECOND** Commissioner Orion Berridge.

**VOTE** Bob Frost – Absent Orion Berridge – No  
Bruce Reynolds – Absent during vote Chris White – Aye  
Mitchell Peil, Chairperson – Aye  
**(APPROVED 2-Aye, 1-No)**

**OTHER BUSINESS** Mr. Mallon reminded the Commission that staff will be bringing forward another UDC Text Amendment in the next couple of weeks.

Councilmember Ericson wanted to clarify his thoughts on the fencing. He stated that if there are three types of fence and it's brick, stucco, and wood in the middle, that would be allowed. What the city is trying to avoid is a chain-link section, a wood section, a wrought iron section, as opposed to the post that may go in, that may be different material. Commissioner Berridge stated that is why he voted no; he didn't care for the way the 2<sup>nd</sup> amendment was written.

**ADJOURN** With no further items to come before the Commission, a motion was made by Commissioner Orion Berridge, and seconded by Commissioner Chris White, to adjourn at 9:46 a.m. Motion carried unanimously.

\_\_\_\_\_  
Respectfully Submitted by,  
Karen Findora, Recording Secretary

\_\_\_\_\_  
Mitchell Peil, Chairperson

\_\_\_\_\_  
Date

# MEMORANDUM

**DATE:** May 26, 2020

**TO:** Development Advisory Commission

**FROM:** Mike Mallon, Acting Director, Community Development

**SUBJECT:** Amendments to the Unified Development Code (UDC) to:

**1. UDCT-05-20-7327**

An Ordinance amending Section 403, Development Review Procedures, to add a new development review application for a General Development Plan.

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The proposed UDC amendment is scheduled to be presented to the Planning Commission on Monday, June 8, 2020 for their recommendation to the City Council on Monday June 15, 2020.

The current UDC regulations do not require a plan or conceptual drawing to be submitted in conjunction with a rezoning application, unless it is for a Planned Development which requires a PD Concept Plan to be submitted for City Council review. Additionally, if a property is already zoned appropriately for the proposed use, potentially, only a Preliminary Plat application is required, which is reviewed and approved by the Planning Commission.

Recently, the City Council has expressed a desire to have more review plans as part of a zoning application, as well as the desire to review Preliminary Plat applications. Under Missouri State Statutes, a Plat is deemed to be a “ministerial” matter, in which if the plat application meets all of the UDC regulations, then it must be approved.

As such, this new General Development Plan application, will be required anytime there is a rezoning, unless a Planned Development is involved, or prior to/in conjunction with a Preliminary Plat application. The General Development Plan will provide City Council the opportunity to review development plans prior to the platting process, and thus, will afford City Council more discretion in their decision-making authority when it comes to new developments throughout the City.

# Chapter 403. Development Review Procedures

## Section 403.045. General Development Plan

A. Overview/Applicability. The purpose of the General Development Plan process is to ensure compliance with zoning and other development regulations and the achievement of quality development through the review of a General Development Plan that will represent the general development on the site. The General Development Plan will be approved by City Council to establish the framework for development on a property. General Development Plan is a generalized development plan for the entire area proposed to be included within a planned development. The purpose of a General Development Plan is to allow preliminary review of a proposed development before substantial technical work has been undertaken.

B. When a General Development Plan is required. Unless a PD Concept Plan is included as part of a Planned Development, a General Development Plan is required prior to or concurrent with the approval of zoning or rezoning and prior to the application for a preliminary plat for more than 4 lots.

C. General Development Plan shall provide.

1. Community Character Plan. A plan outlining the general location, design characteristics, and functions of all proposed streets, stormwater management, open spaces, civic spaces, and circulation networks — whether public, common or private — that will create the public realm for the plan.

2. Land Use And Development Plan. A plan indicating the specific land uses and their density/intensity, block and lot patterns, building types and scale, materials and design characteristics, and other building and site design elements. This plan shall have a particular emphasis on how these elements relate to the community character plan and where transitions between these elements occur at a parcel or block scale both within the development and in coordination with abutting property. The land use and development plan shall specifically identify where development standards may differ from those otherwise applicable through the base zoning districts and general development requirements of this t Code.

3. Existing Conditions. Analysis identifying the general layout of any existing structures, streets or infrastructure and the location of natural features such as watercourses, steep grades, significant stands of trees, specimen trees or other features available on the most refined scale of the Natural Resources Inventory identified in Appendix A3 of the Comprehensive Plan.

4. Phasing Or Implementation. A strategy indicating the estimated timing of development and any other administrative details of implementing the plan through future final plans.

5. Illustrative Plan. The General Development Plan shall include an illustrative plan that includes renderings, elevations or plans of buildings, streetscapes, and public spaces or other urban design and architectural details demonstrating how the plan will be executed according to the applicable development standards.

D. General Development Plan Review Criteria. A General Development Plan shall be reviewed according to the following criteria:

1. The proposed General Development Plan is consistent with the Comprehensive Plan and all requirements of the UDC;
2. The proposed General Development Plan is consistent with the current zoning on the property or conditioned on the approval of an existing application for a zoning map amendment.
3. The General Development Plan is in compliance with all applicable use, development and design standards set forth in this Code, unless Alternative Design Standards have been approved for the development.
4. Adequate facilities and services exist or are planned by the project to serve the development at the time of construction.
5. The General Development Plan is sensitive to the existing land uses and is compatible with the existing adjacent land use designations. Compatibility with the surrounding area is demonstrated by proposed improvements, including screening and buffering that has been provided to minimize impacts to adjacent uses.
6. The amendment will provide for orderly physical growth of the city, and foster safe, convenient and walkable neighborhoods and shopping districts.

E. Effect Of General Development Plan Approval. Approval of a General Development Plan shall constitute acceptance of the overall planning concepts and development parameters. In reviewing and approving a General Development Plan, the Planning Commission may recommend or the City Council may require conditions that must be met before an applicant submits a for a Site Plan and Design Review. An approved General Development Plan shall lapse and be of no further force and effect if a Site Plan Design Review or Preliminary Plat application has not been applied for within two (2) years of the date of approval of the General Development Plan

**Table 403.010-1: Procedures Summary**

	Eligible Applicants				Pre-application Meeting	Notice			Review Body				
	Owner	Staff	PC	CC		Posted	Published	Mailed	Staff	PC	CC	BA	Special Review
Text Amendment		■	■	■			☑		R	R/PH	D/PH		R*
Zoning Map Amendment	■	■	■	■	☑	☑	☑	☑	R	R/PH	D/PH		R*
General Development Plan	■		■	■	☑	☑	☑	☑	R	R/PH	D/PH		R*
Subdivision – Administrative Plat	■				☑				D				
Subdivision – Preliminary Plat	■				☑				R	D	A		
Subdivision – Final Plat	■				☑				R	R	D		
Site Plan – Administrative Review	■				☑				D	A			
Site Plan and Design Review	■				☑				R	D	A		R*
Planned Development Concept Plan	■		■	■	☑	☑	☑	☑	R	R/PH	D/PH		R*
Planned Development Final Plan	■								R	D	A		R*
Conditional Use Permit	■				☑	☑	☑	☑	R	D/PH	A		
Variance	■				☑	☑	☑	☑	R			D/PH	R*
Vacation	■	■	■	■	☑	☑	☑	☑	R	R/PH	D		
Appeal of Administrative Decision	■	■	■	■		☑	☑	☑				D/PH	R*
Subdivision Waiver	■				☑	☑	☑		R	D	A		