

**PLANNING AND ZONING MEETING**  
**ASHLAND, MO. 65010**  
**TUESDAY, JULY 13, 2021**  
**\*\*AMENDED\*\***

**1.Public Hearing:**

Chairman Sapp called the public hearing to order July 13, 2021 at 6:30 p.m. at 101 W. Broadway Ashland, Missouri. Commissioners in attendance were Jerrod Bryan (via zoom), Cory Bergthold, Cynthia Wills, Ken Bishop, Jeff Sapp (via zoom), Nicki Rinehart (via zoom). Chairman Sapp excused himself at 6:45 p.m. Vice Chairman Bryan presided the meeting. Commissioners absent: Tanner Kruger, Scott Dooley

**Middle Creek:**

Calvin Crandall- 607 Caspian Circle stated this property as it is purposed is too dense for the area. Calvin discussed with the Board the infrastructure problems that would occur. Mr. Crandall then discussed with the Board the current storm water runoff. He stated he is concerned with the way of getting in and out of this subdivision as well and the traffic issues currently and that will occur. He also stated brought to the Board he feels the houses don't match up to with the existing house. Mr. Crandall presented a video of storm water issues.

Ron Richards- 609 Caspian Circle stated he is concerned about the saturated ground and the running water running behind his property. He stated it does not drain properly and he also talked to the Board about his concern with erosion of property. Mr. Richards also stated he is concerned about house sizes to hurt the value of his home.

Sandra Richards- 609 Caspian Circle asked the P&Z Board to do a traffic and water study and see how it is going to affect the current home owners. She also suggested to fix flowing issues first before moving onto something else.

Dave Straatmann- 608 Billy Joe Sapp stated he had concerns about the safety for children. He also stated his concerns with the density and detention ponds in the area.

Chris Cravens-509 Caspian Circle told the Board about his concerns claiming the area doesn't have run off properly now and with additional houses all the water is going to run off even worse. He stated his concerns with back up issues that are currently happening and that will have in the future. Mr. Cravens stated he would like to see a dirt work and drainage plan moving forward.

Lisa Crandall- 607 Caspian Circle stated her concern with the current sewer issues and what will happen if this is developed.

Travis Lasater- 605 Caspian Circle stated his concern with the lift pump to reduce sewer issues. Lasater stated he is concerned about the safety issues. He also asked the Board who would be responsible for these issues if/when they arise?

**Lakeside Development:**

Conditional Use for Summer theater or outdoor music amphitheater:

Mike Bauer-Fire Marshal performed the plan review egress for the subdivision. Mr. Bauer stated for the additional development it will require two points of access. He also suggested possibly going to the South and connecting to Minor Hill. Bauer stated without the further development right now it meets consideration.

Alan Bunch- 5502 E. Log Providence stated his main problem is there is only one way in and out. He stated his concerns with the safety issues that come along with that. Mr. Bunch stated he is concerned about traffic back up issues. He also stated he doesn't feel like the board has enough information to move forward with this plan.

Claude Nikula- 5000 E Eagle Ridge Rd. stated his concern is the overflow in the parking lot and where the overflow will go. Mr. Nikula asked the Board who is going to enforce the no parking due to emergency on the main road? Nikula stated the roundabout is in rough shape who is going to fix before it gets worse with this new development. He also stated he also has noise concerns.

Dave Finley- 4737 Woodson Harris stated that all the Log Providence Residents have no rights to what is going to happen because they do not live in the city limits.

Ed Musterman-5251 E. Woodson Harris Rd. stated his concern about public safety. Mr. Musterman stated he feels they are trading profit for the safety of the families.

DeeCee Darrow- 10151 S. Bartel Ln. stated her concerns with the current road conditions.

Billy Keeling- 5030 E. Eagle Ridge Rd. stated he is waiting to hear from the developer of what his plans are and if they plan to make Log Providence better.

## **1. REGULAR MEETING:**

Vice Chairman Bryan called the meeting to order July 13, 2021 at 7:20 p.m. at 101 W. Broadway Ashland, Missouri. Commissioners in attendance were Jerrod Bryan, Cory Bergthold, Cynthia Wills, Ken Bishop, Nicki Rinehart  
Commissioners absent: Tanner Kruger, Scott Dooley, Jeff Sapp

City Staff Present: Lelande Rehard Asst. City Administrator, Leslie Martin Administrative Assistant, Carrie Fischer Administrative Assistant, Dan VandeVoorde Building Inspector, James Creel Public Works Supervisor, Rick Lewis Alderman Liaison, John Conway Civil Engineer

Guests: Corey Myers, Developer, Nic Parks, Lakeside Developer, Todd Kempker, Bartlett & West, Chris Sanders Sander , McClure, Tim Crockett, Crockett Engineering, Zac Thomas, Engineering Surveys and Services

## **2. Approval of Agenda:**

Vice Chairman Bryan called for a motion to approve the July 13 , 2021 agenda.  
Commissioner Bergthold made a motion to approve the July 13, 2021 agenda, seconded by Commissioner Wills. Motion carried.

### **3. Approval of Previous Minutes:**

Vice Chairman Bryan called for a motion to approve the previous minutes dated June 8, 2021. Motion made by Commissioner Wills to approve the previous minutes as amended dated June 8, 2021, seconded by Commissioner Bishop. Motion carried.

### **4. Public Comments:**

**A.** Alan Bunch- 5502 E. Log Providence stated he is unhappy about this project. He stated he feels the residents were not considered. He also stated that they don't know anything about the development and what is happening with it. Mr. Bunch stated this is a safety issue in many ways and he shared with the Board his concern of getting in and out of the development.

### **5. OLD BUSINESS:**

**A.** Policy Manual- Commissioner Wills made the motion with changes that Commissioner Bergthold submitted to Lelande Rehard, Assistant City Administrator, seconded by Commissioner Bishop. Motion carried.

### **6. NEW BUSINESS:**

**A.** Lakeside Development Conditional Use: Dan Vande Voorde, Building Inspector, gave the staff report. Nic Parks, developer, presented to the Board his plans for the development. Tim Crockett, Crockett Engineering, presented to the Board the plans and answered some of the questions he heard in the public hearing portion. Mr. Crockett touched base on the traffic and being controlled by having traffic control staff inside the Lakeside Development. Mr. Crockett stated that the design they have in place for the traffic flow will be getting vehicles in the development and have a route within the development to get the vehicles off the roadways. He also stated traffic is a concern to the development as well and they are working with MODOT to get a traffic study to see what is best. Mr. Crockett stated all sales for tickets will be either presold or bought online so the traffic flow should flow smoothly. Commissioner Bergthold asked if there is anything tying the developer to the hours and ticket sales stated in our current code. Dan Vande Voorde, Building Inspector, reported that is up the Board to decide based on certain uses. Commissioner Bryan asked who then would govern that? Dan stated that would be City Law Enforcement. Commissioner Rinehart asked if the swim park and splash area would need another conditional use or if it would fall under the current one. Dan reported it is conditional use for the site so both uses would fall under the same permit. Commissioner Bergthold asked about noise ordinance in our code. Dan reported there is no number currently in our code that states noise can't go over a certain decibel. Dan stated after doing research the decibel from the stage will reduce because of distance before it gets to the neighborhood. Commissioner Wills asked the developer about private and public events. Nic Parks, developer, stated they don't know the demand right now but plans to use Fridays as movie nights and Saturdays as concert nights. Commissioner Wills asked the developer if he would be open to adjusting hours during

the week. Nic Parks stated he would not see a problem with doing that. The Board asked the developer about the splash area and what the intentions for it would be. Nic Parks stated the splash area will only be available to those that are already in attendance at an event within Lakeside and that it will not be open to public. Commissioner Wills asked when will traffic study be done? Tim Crockett, Crockett Engineering, stated he looks for it to be done within the next couple of weeks. Mr. Crockett stated he will then submit it to the City and it will become a public document. Commissioner Bergthold asked if there should be a decibel limit. Nic Parks, developer, suggested looking into other cities that have codes of the decibel and what the levels are. Motion was made by Commissioner Bergthold with the hours limited to 12pm on the weekends and 10pm on week nights and online/presold tickets to approve, seconded by Commissioner Wills. Vice Chairman Bryan did a roll call vote: Commissioner Bergthold-yes, Commissioner Wills-yes, Commissioner Bishop-no, Commissioner Rinehart-yes, Commissioner Baker-yes. Motion carried.

**B.** Lakeside Development Site Plan: Dan Vande Voorde, Building Inspector, gave the staff report Motion was made by Commissioner Bergthold to table seconded by Commissioner Bishop. Vice Chairman Bryan did a roll call vote: Commissioner Baker-yes, Commissioner Rinehart-yes, Commissioner Bishop-yes, Commissioner Bergthold-yes, Commissioner Wills- yes. Motion carried.

**C.** Liberty Landind North Plat 2: Dan Vande Voorde, Building Inspector, gave the staff report. Motion was made by Commissioner Bergthold to approve seconded by Commissioner Wills. Vice Chairman Bryan did a roll call vote: Commissioner Bergthold-yes, Commissioner Wills-yes, Commissioner Bishop-yes, Commissioner Rinehart-yes, Commissioner Baker- yes. Motion carried.

**D.** Liberty Landing North Plat 3: Dan Vande Voorde, Building Inspector, gave the staff report Motion was made by Commissioner Bishop to approve seconded by Commissioner Bergthold. Vice Chairman Bryan did a roll call: Commissioner Baker-yes, Commissioner Rinehart-yes, Commissioner Bishop-yes, Commissioner Wills-yes, Commissioner Bergthold-yes. Motion carried.

**E.** Liberty Landing North Plat 4: Dan Vande Voorde, Building Inspector, gave the staff report Motion was made by Commissioner Bergthold to approve seconded by Commissioner Wills. Vice Chairman Bryan did a roll call vote: Commissioner Bishop-yes, Commissioner Bergthold-yes, Commissioner Wills-yes, Commissioner Baker-yes , Commissioner Rinehart-yes. Motion carried.

**F.** Liberty Landing North Plat 5: Dan Vande Voorde, Building Inspector, gave the staff report Motion was made by Commissioner Bergthold to approve seconded by Commissioner Wills. Vice Chairman Bryan did a roll call vote: Commissioner Wills-yes, Commissioner Bishop-yes, Commissioner Rinehart-yes, Commissioner Bergthold-yes, Commissioner Baker-yes. Motion carried.

**G.** Liberty Landing North Plat 6: Dan Vande Voorde, Building Inspector, gave the staff report Motion was made by Commissioner Wills to approve seconded by Commissioner Bergthold. Vice Chairman Bryan did a roll call vote: Commissioner Rinehart-yes, Commissioner Baker-yes, Commissioner Bishop-yes, Commissioner Bergthold-yes, Commissioner Wills-yes. Motion carried.

**H.** Liberty Landing North Preliminary Plat 2: Dan Vande Voorde, Building Inspector, gave the staff report. Chris ~~Sanders~~ Sander, McClure Engineering, presented to the Board the proposed

sidewalks and design plans for inlets. Commissioner Wills asked when will phase 2 begin? Chris Sanders Sander stated it is likely down the road by a several years. Commissioner Bergthold asked if there will be control of the 184 lots. Dan Vande Voorde, Building Inspector, stated City Staff will monitor the amount of building permits that are pulled and will not let it exceed that total amount. Motion was made by Commissioner Wills to approve seconded by Commissioner Bishop. Vice Chairman Bryan did a roll call vote: Commissioner Rinehart-yes, Commissioner Baker- yes, Commissioner Bergthold-yes, Commissioner Bishop-yes, Commissioner Wills-yes. Motion carried.

Commissioner Bergthold recused himself due to working for Engineering Surveys and Services for Middle Creek Subdivision.

I. Middle Creek Rezoning (County) A-2 to R-1: Lelande Rehard, Assistant City Administrator, gave the staff report. Zac Thomas, Engineering Surveys and Services, gave a report on the overall plat and the plans of the improvements that will be addressed. Motion was made by Commissioner Wills to approve seconded by Commissioner Baker. Vice Chairman Bryan did a roll call vote: Commissioner Rinehart-yes, Commissioner Baker-yes, Commissioner Bishop-yes, Commissioner Wills-yes, Commissioner Bryan- yes. Motion carried.

J. Middle Creek Rezoning (County) A-2 to R-2: Dan Vande Voorde, Building Inspector, gave the staff report. Vice Chairman Bryan had questions about the parking. Dan Vande Voorde, Building Inspector, reported code requires at least 2 parking spaces per resident with the garage being one and driveway would be the second. Motion was made by Commissioner Wills to approve seconded by Commissioner Rinehart. Vice Chairman Bryan did a roll call vote: Commissioner Wills-yes, Commissioner Bishop-yes, Commissioner Rinehart-yes, Commissioner Baker-yes, Commissioner Bryan-yes. Motion carried.

K. Middle Creek Rezoning (County) A-2 to C-N: Dan Vande Voorde, Building Inspector, gave the staff report. No motion was made. Motions dies for lack of interest.

L. Middle Creek Preliminary Plat: Dan Vande Voorde, Building Inspector, gave the staff report. Commissioner Rinehart questioned why there wasn't a traffic study for this development. Lelande Rehard, Assistant City Administrator, stated per code it is not required and it is up to the City Administrator to determine if it is needed. Lelande Rehard stated the City is looking more into the sewer issue. Vice Chairman Bryan questioned why there wouldn't be a traffic study with the high traffic in that area. Motion was made by Commissioner Wills to approve seconded by Commissioner Bishop. Vice Chairman Bryan did a roll call vote: Commissioner Wills-yes, Commissioner Bishop-yes, Commissioner Rinehart-no, Commissioner Baker-yes, Commissioner Bryan-no. Motion carried.

M. Ashland Place Plat 1: Dan Vande Voorde, Building Inspector, gave the staff report. Commissioner Bergthold requested to the engineer the plat be updated in the vaction of Maple Street. Motion was made by Commissioner Bergthold to approve seconded by Commissioner Baker. All in favor. Motion carried.

N. River Region Credit Union Site Plan: Dan Vande Voorde, Building Inspector, gave the staff report. The Board and Tim Crockett, site engineer, discussed having a detention basin or not for this site. Motion was made by Commissioner Wills to approve provided that the detention requirements are met for impervious surface as designed seconded by Commissioner Bishop.

Both withdraw motions. Commissioner Bergthold made a motion to approve the site plan provided it meets the requirement of Chapter 12 seconded by Commissioner Rinehart. Vice Chairman Bryan did a roll call vote: Commissioner Baker-yes, Commissioner Rinehart-yes, Commissioner Bishop-yes, Commissioner Bergthold-yes, Commissioner Wills-yes. Motion carried.

O. Commissioner Contact Information- Lelande Rehard, Assistant City Administrator, stated all contact information has been removed from the website.

**7. DISCUSSION:**

None

**8. Mayor's Report:**

No Report

**9. City Administrator's Report:**

Lelande Rehard, Assistant City Administrator, reported he plans to work with Lakeside Development to get all issues addressed.

**10. Building Department's Report:**

Dan Vande Voorde, Building Inspector, reported there has been a plan submitted from Breaktime for additional pumps.

**11. Alderman Liaison's Report:**

No report

**12. Commissioners' Report:**

Commissioner Bryan- No Report

Commissioner Bergthold- Bergthold asked about personal emails being on the website. Lelande Rehard, Assistant City Administrator, stated all personal information has been taken off the website and will go through City Hall, then passed to the Board.

Commissioner Wills- No Report

Commissioner Bishop- No Report

Commissioner Sapp- Absent

Commissioner Dooley- Absent

Commissioner Rinehart- No Report

Commissioner Baker- Baker had questions about the trainings and when they would happen. Lelande Rehard, Assistant City Administrator, stated as soon the trainings are all lined out the Board will be updated.

Commissioner Kruger- Absent

Vice Chairman Bryan called for a motion to adjourn the July 13, 2021, Planning and Zoning Meeting. Commissioner Bergthold made a motion to adjourn the July 13, 2021, Planning and Zoning Meeting seconded by Commissioner Wills. Motion carried. Meeting adjourned at 9:41pm.

Minutes prepared by Leslie Martin