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**DOWNTOWN REVIEW BOARD  
MEETING AGENDA  
Thursday, June 24, 2021 – 9:00 p.m.**  
City Hall, 903 W. Main Street  
Community Development Conf. Room 128

**1 CALL TO ORDER, ROLL CALL, & CONSENT AGENDA**

A. April 14, 2021 meeting minutes

**2 REVIEW OF PROJECT APPLICATIONS**

A. UDCT-06-21-7810 / UDC Text Amendments for Outdoor Dining & Seating Areas in the Downtown Development Code

**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>

June 22, 2021

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 W. Main  
Blue Springs, Missouri 64015**

**Downtown Review Board  
MINUTES  
Wednesday, April 14, 2021**

*Pursuant to [Jackson County Executive Order](#) dated November 18, 2020 and subsequent amendments and Phase 2.5 of the Eastern Jackson County Recovery Plan limiting public gatherings, this meeting will be conducted by taking safe social distancing measures as required by the Order. As provided in Sections 610.020(1) and 610.020(4) RSMo., the Planning Commission participated in the 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 Downtown Review Board of the City of Blue Springs was held via conference call, as allowed under § 610.020(1), RSMo, which permits conference call meetings and roll call votes in emergency situations due to the current health crisis and state of emergency, with the following members, guests and staff in attendance:

**ATTENDANCE**

Jaime Russell, Chamber Member  
Jennifer Hauschild, Vice Chair  
Jason Ellis, Chairperson

Galen Ericson, Council, Dist. 1  
Chris Sandie, Public Works Dir.  
Mitchell Peil, PC Rep. 1

**STAFF/OTHERS**

Matt Wright, Asst. Director  
Karen Findora, DRB Liaison  
Jackie Sommer, City Attorney

**ABSENT**

Ashley Hose, PC Alt. Rep.  
LaKeisha Veal, PC Alt. Rep. 2  
Chris Lievsay, Council, Dist.2  
Mike Mallon, Comm. Dev. Dir.

**CALL TO ORDER  
ROLL CALL**

Chairperson Jason Ellis, called the meeting to order at 4:00 p.m. and requested a roll call from Karen Findora, DRB Liaison, which is reflected in the minutes.

**CONSENT AGENDA**

Chairperson Ellis requested action on the Consent Agenda with a motion by Board Member Jennifer Hauschild, to approve the Minutes of March 9, 2021, a second from Board Member Chris Sandie. Councilmember Galen Ericson questioned if the revised plot plan for 302 SW 16<sup>th</sup> Street as mentioned on page 3 of 3 in the March 9, 2021, DRB meeting minutes were submitted. Matt Wright, Assistant Director, Community Development stated that the applicant did submit a revised plot plan when they submitted for a building

permit. The motion and second stands as stated and a unanimous vote via roll call was made, the Minutes were approved as submitted. **(6-Aye, 0-No)**

**AGENDA ITEM 2A /  
DRB-03-21-7715 / “1101 W  
Main Street” / Façade  
modifications to the front and  
corner side of building**

Matt Wright, Assistant Director Community Development, stated that the applicant Michael Scott, Creative Solutions is requesting the approval to modify the building façade at 1101 W. Main Street. The building housed the former Inkling’s Book Store. An amended agenda packet was submitted to the Commission for review. The amended items addressed most of the staff concerns from the original staff report. The applicant is proposing to make changes to the front and side elevations.

Building Materials: The entire façade will remain masonry (brick and concrete block). The lap siding that was purposed will be changed to stucco.

Parapet Wall: The elevation that was submitted with the original packet didn’t include a uniform height to the parapet wall per staff’s recommendation. The amended elevations do provide an extension to the wall as part of a sign that will be installed above the brick, that will match the height of the corner element that is proposed to be stucco.

Mr. Wright informed the DRB that the Historic Preservation Commission met Tuesday, April 13, 2021 and recommended unanimous approval with the amended modifications and to strike staff recommendation 2, 3, and 4.

**QUESTIONS**

Councilmember Ericson questioned the parapet wall and the sign. Mr. Wright stated ideally the entire parapet would be of the same material, a sign panel fitting into that area to give it the same height is an improvement over what was previously proposed. The main concern that staff had when they had the original elevations was that increase in the height of the corner isn’t in keeping with the historic building pattern of downtown. Parapet heights were uniform in height or similar to Pizza Shoppe where it has more of a symmetrical peak to it.

Chair Ellis questioned if you could see the back of the parapet wall from Main Street and will it be finished on the back side. Mr. Wright stated that you couldn’t see the back side from Main Street but may from the back of the building.

**APPLICANT**

Michael Scott, Creative Solutions

**MOTION  
AGENDA ITEM 2A /  
DRB-03-21-7715 / “1101 W  
Main Street” / Façade  
modifications to the front and  
corner side of building**

Board Member Jaime Russell made a motion to approve of DRB-03-21-7715 with staff four conditions.

**SECOND**

Seconded by Board Member Chris Sandie.

**DISCUSSION**

Councilmember Ericson stated he objects because of way the sign served as the parapet, the nature of the building material, and how it doesn’t compliment the building design, etc. Therefore, he can’t support it.

**VOTE**

Chris Sandie – Aye  
Mike Mallon – Absent  
Jaime Russell – Aye  
LaKeisha Veal – Absent  
Jennifer Hauschild, Vice Chair - No  
Jason Ellis, Chairperson - Aye  
**(TIE – MOTION FAILED 3-Aye, 3-No)**

Galen Ericson – No  
Mitchell Peil - No  
Chris Lievsay – Absent  
Ashely Hose – Absent

Micheal Scott asked if he could amend the plan and run the brick all the way up to the top of the wall and not utilizing the sign cabinet to fill in the gap in the parapet. Mr. Wright discussed further with City Attorney, Jackie Sommer.

City Attorney Jackie Sommer stated that the member who voted with the prevailing side (someone who voted no), can make a motion to reconsider. That would need to be voted on first. The question will become before the body and be brought up again.

Ms. Sommer informed the Board that a motion is to reconsider the vote just taken by the public body so that the question can come before the Board again. Anyone who voted no can say, “I so move.”

Planning Commissioner Mitchell Peil, I so move.

**MOTION TO RECONSIDER AGENDA ITEM 2A / DRB-03-21-7715 / “1101 W Main Street” / Façade modifications to the front and corner side of building**

**SECOND**

Councilmember Galen Ericson.

**VOTE**

Chris Sandie – Aye  
Mike Mallon – Absent  
Jaime Russell – Aye  
LaKeisha Veal – Absent  
Jennifer Hauschild, Vice Chair - Aye  
Jason Ellis, Chairperson - Aye  
**(MOTION TO RECONSIDER 6-Aye, 0-No)**

Galen Ericson – Aye  
Mitchell Peil - Aye  
Chris Lievsay – Absent  
Ashely Hose – Absent

**MOTION TO RECONSIDER AGENDA ITEM 2A / DRB-03-21-7715 / “1101 W Main Street” / Façade modifications to the front and corner side of building**

Councilmember Galen Ericson moved to consider the previous motion that was defeated with the understanding that the testimony from Michael Scott speaking of how he would change the design be submitted and a part of the motion.

**SECOND**

Planning Commission Mitchell Peil.

**DISCUSSION**

Michael Scott, Creative Solutions, agreed that he would carry the parapet wall all the way up to the same elevation as the corner where the stucco is on the plans submitted. Mr. Scott will carry the brick and elevation across at the same level. Mr. Scott stated that the proposed sign could go anywhere. The sign may not go where originally post on the elevations if he doesn't have to box it in. Approval of staff conditions 1 and 5 and the testimony of Michael Scott were submitted as part of the motion.

**VOTE**

Chris Sandie – Aye	Galen Ericson – Aye
Mike Mallon – Absent	Mitchell Peil - Aye
Jaime Russell – Aye	Chris Lievsay – Absent
LaKeisha Veal – Absent	Ashely Hose – Absent
Jennifer Hauschild, Vice Chair - Aye	
Jason Ellis, Chairperson - Aye	
<b>(APPROVED 6-Aye, 0-No)</b>	

**OTHER BUSINESS**

None.

**MEETING ADJOURN**

With no further discussion, a motion was made by Planning Commission Rep. 1 Mitchell Peil to adjourn at 4:29 p.m. Seconded by Councilmember Galen Ericson.

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Respectfully Submitted by,  
Karen Findora, Recording Secretary

\_\_\_\_\_  
Jason Ellis, Chairperson

\_\_\_\_\_  
Date

# DOWNTOWN STAFF REPORT



<b>Meeting Dates:</b>	Downtown Review Board: June 24, 2021
<b>Project Name:</b>	<b><i>UDC Text Amendments – Outdoor Dining &amp; Seating</i></b>
<b>Site Location:</b>	Downtown Zoning District
<b>Project Request:</b>	UDCT-06-21-7810

**Applicant:** City of Blue Springs / Community Development  
**Property Owner:** N/A  
**Staff Planner:** Matt Wright, Assistant Director Community Development

**Project Description:** Unified Development Code (UDC) Text Amendments related to outdoor dining and seating area requirements in the Downtown Zoning District.

## Staff

**Recommendation:** Staff recommends **approval** of the UDC Text Amendments.

## DOWNTOWN REVIEW BOARD ANALYSIS

Since the start of the COVID-19 pandemic there has been increased interest in adding or expanding outdoor dining and seating areas. These areas were originally intended to provide safer seating alternatives during the spring and summer months. The City does not have any minimum standards for outdoor dining and seating areas, including when and where they are appropriate. In an effort to better accommodate outdoor dining and seating areas, staff has developed the following language to be revised and added to various sections of the UDC.

The Development Advisory Commission reviewed the proposed UDC text amendments on June 15, 2021 and recommended approval of the amendments, 4-1. The single vote in denial of the amendments was due to concerns of allowing temporary outdoor dining and seating areas in the public right-of-way, which could allow dining and seating areas on sidewalks or in on-street parking spaces if approved by the Director of Public Works.

The outdoor dining and seating amendments to the Downtown Development Code are related to temporary outdoor seating areas in the public right-of-way. Permanent outdoor seating standards on private property will follow regulations elsewhere in the UDC that is not within the Downtown Zoning District.

Language in the first paragraph of each section is for explanatory purposes only.

Language to be added to the UDC is UNDERLINED.

Language to be deleted from the UDC is shown as ~~STRICKEN~~.

### Section 404.240. DDC, Downtown Development Code

- D. Performance Standards. The intent of the DDC is to allow for a mixture of uses, often adjacent to or very close to each other. Issues of noise, trash and operational hours are to be closely coordinated. Specific standards include:

2. ~~Outdoor eating dining and seating areas for bars, taverns or restaurants are allowed on the public sidewalk in zones T4 and T5 where the paved sidewalk is a minimum of ten (10) feet wide and the location is approved by the Director of Public Works. A minimum clear sidewalk width meeting ADA requirements shall be provided and maintained in an unobstructed condition.~~ bars, taverns, restaurants, or food production – limited uses may be permitted in the public right-of-way, subject to the following standards:

- (1) Outdoor dining and seating areas in the public right-of-way shall not be permanent but may be approved as an extended temporary use permit for up to nine (9) months between March 1 and November 30. Outdoor dining and seating areas in the public right-of-way may be required to be removed as requested by the Director of Public Works for the repair, replacement, or maintenance of public infrastructure, including but not limited to streets, sidewalks, and utilities.
- (2) The width of the outdoor dining and seating area shall not exceed the width of the storefront in which the principal use operates.
- (3) A minimum clear sidewalk width meeting ADA requirements shall be provided and maintained in an unobstructed condition as determined by the Director of Public Works.
- (4) Outdoor dining and seating areas and associated structural elements, awnings, covers, furniture, umbrellas, or other physical elements shall be compatible with the overall design of the main structure in which the principal use is located.
- (5) Litter, food and beverage items, and tableware shall be continually removed and all fixtures and grounds within the outdoor dining and seating area continually cleaned to ensure the area is maintained and all health, safety, and sanitation requirements are met.

## STAFF ANALYSIS & RECOMMENDATION

### Staff

#### Recommendation:

Staff recommends approval of the Unified Development Code Text Amendments for outdoor dining and seating areas in the Downtown Zoning District.