

**Minutes of Meeting  
Belton Planning Commission  
City Hall Annex, 520 Main Street  
October 20, 2014**

**CALL TO ORDER**

Chairman Holly Girgin called the meeting to order at 7:00 p.m.

**ATTENDANCE**

Commission: Chairman Girgin, Mayor Jeff Davis, Councilman Tim Savage, Commissioners Sally Davila, Tim McDonough, Steve Finn, Chuck Crate and Larry Thompson.

Staff: Jay Leipzig, Community and Economic Development Director; Jeff Fisher, Public Works Director; Robert Cooper, City Planner; and Ann Keeton, Community Development Secretary.

Absent: Commissioner Chris Christensen

**MINUTES**

Commissioner Davila moved to approve the minutes of the September 22, 2014 special meeting and the October 6, 2014 meeting. The motion was seconded by Commissioner Thompson. All members present voted in favor and the motion carried.

**PUBLIC HEARING** - Amend the UDC re: Manufactured Homes

Mr. Leipzig reported the planning commission reviewed proposed changes to the Unified Development Code (UDC) concerning manufactured home provisions at previous meetings. It was pointed out that the ordinance in the agenda packet has not been revised. He went on to say staff met with Belton manufactured home park owners/managers on October 9, 2014. Mr. Cooper gave a summary of topics discussed at that meeting which included: 1) the non-conforming aspects of the Ordinance and which items or uses can be grandfathered; 2) the proposed language regarding pitched roof and exterior horizontal lap siding; 3) and issues relating to recreational vehicles (RVs). He stated the City attorney is working on language changes to the UDC amendments. During the meeting there was a general agreement that it would be beneficial for the park management and the City to work together to enforce the property maintenance code violations. It was mentioned that currently the owners deal with code violations within their own communities. Mr. Cooper explained that staff is asking for clarification from the City attorney about UDC Section 40-4, Sub-Section (2)F which deals with the expansion of existing manufactured home communities. Mr. Leipzig explained there would be another meeting scheduled with the owner/manager group when the revised amendments are received from the City attorney. Mayor Davis reported that a letter was received from Missouri Manufactured Housing Association which includes recommended guidelines for manufactured homes.

Councilman Savage asked for clarification about the owners meeting discussion concerning RVs, and whether the City can provide code enforcement in the communities. Mr. Cooper went

into detail about how the City and the owners can work together for code enforcement notification. Councilman Savage suggested the community owners/managers be supplied with the tools to identify property maintenance code violations. He went on to mention there are some bad properties within and outside of the communities which need improved code enforcement with the support of the Council.

Chairman Girgin opened the public hearing at 7:15 p.m. The hearing was being held to receive input on proposed amendments to the UDC regarding manufactured homes.

Bill Noll, 18000 S. Mullen, part owner of Crown Mobile Home Park, spoke on several subjects regarding the proposed manufactured home amendments. He reported the park has a section of RVs where road construction workers live temporarily. He stated they live in the community for several months of the year before returning to their homes. During the time the RVs are unused, they are on a winter rate program, not being stored in the park according to Mr. Noll.

Mr. Noll brought up the storage sheds that are required in the manufactured homes provisions. He questioned why sheds on concrete slabs are being required. He pointed out there are homes in the City that do not have sheds and many people in the Crown Park community that don't own , or want a shed. He suggested some of the park residents are low income and do not want sheds because of the cost and indicated the City would be forcing them to get one. It was brought out that the Manufactured Homes Association and HUD do not regulate the use/ownership of sheds. Mr. Noll reiterated that he would like to know the reasoning for the shed requirement.

Mr. Leipzig gave an explanation of why the UDC includes a storage shed requirement. He mentioned that it was to provide additional storage for items such as lawn and play equipment. He went on to say that information regarding manufactured homes has been gathered from other cities ordinances and from the American Planning Association. Mr. Noll asked the Commission to reconsider the storage shed requirement for the manufactured home park lots. There was conversation about the proposed language "requiring" a shed rather than "allowing" a shed. Mr. Cooper elaborated on the reasons why the Code requires storage sheds. He indicated that during discussion, sheds were believed to provide additional storage and be a possible solution in preventing items being left outside to become property maintenance issues. He suggested the language could be changed from "shall" to "may" be required. Mr. Noll stated opinion was that the minimum size for a shed is too large and it was reported the code requires the minimum size to be 64-sq. ft. with a height of 5-ft.

Greg McIntyre, with Peaceful Homes on North Scott, stated the community is being redeveloped. He attended the owners meeting on October 9, 2014. He spoke of grandfather issues and mentioned that he is looking forward to see the revised language and hoped to get advanced copies of those changes.

Chairman Girgin announced the public hearing will be continued to November 3, 2014. Mr. Leipzig stated that another meeting will be scheduled with the owners/managers when staff receives the revised draft ordinance.

Jim Huffman, with Plaza Acres Mobile Home, suggested the next meeting be in the form of a workshop so that everyone, owners and City staff can work together to share information and come up with solutions to problems.

#### **FINAL PLAT - Cherry Hill Commercial 4<sup>th</sup> Plat**

Mr. Cooper introduced information about the Cherry Hill Commercial 4<sup>th</sup> Final Plat which he said is a 6.95-acre tract of land. A representative from the Watershed Institute and Land Trust spoke with City staff about acquiring part of the land that is currently a storm water detention area according to Mr. Cooper. He said the corporate office for Land Trust is at 140 Cherry Hill Drive and the land in question is directly behind that location. The land will be used for a wetlands wildlife habitat and water quality improvement area. He gave a history of the platted area and explained the proposed plat will separate the site into two lots. Lot 1 will be 5-acre commercially zoned property and Lot 2 will be a 1.95-acre stormwater detention basin according to Mr. Cooper. It was reported the City Council will consider a request to waive the \$300 plat application fee for the Watershed Institute.

During discussion, it was stated the 1.95-acre area is being donated to the Institute by the property owners, Maier Development. Mr. Frank Austinfeld, Executive Director of The Watershed Institute and Land Trust was present to answer questions about the proposed wetlands. He reported the stormwater detention area backs up to their property at 140 Cherry Hill Drive. Mr. Austinfeld gave an explanation of the proposed conversion of the concrete stormwater channel to a wetland type detention, which will be used as an outdoor education center. He gave an overview of the Institute organization and of their community outreach projects. He provided details about how the detention will be converted into a wetland space. It was pointed out that the area will function by detaining the stormwater runoff for a short amount of time, and the plants will filter the water. Commissioner McDonough moved to recommend approval of the final plat for Cherry Hill Commercial 4<sup>th</sup> Plat. The motion was seconded by Commissioner Davila. When a vote was taken, the following was recorded, Ayes: 8 - Chairman Girgin, Mayor Davis, Councilman Savage, Commissioners Davila, McDonough, Finn, Crate and Thompson. Noes: none. Absent: 1 - Commissioner Christensen. The motion carried.

#### **CAPITAL IMPROVEMENT PROGRAM**

Mr. Fisher gave a report on a presentation that was included in the agenda packet. The presentation was a summary of the street preservation program and the stormwater projects shown in the Capital improvement program (CIP) in the uncertain funding section. Mr. Fisher gave an explanation of the method used to determine the condition of City streets and he mentioned that residential streets are in the worst condition. Commissioner Crate moved to recommend approval of the CIP. Commissioner McDonough seconded the motion. When a vote was taken the following was recorded, Ayes: 8 - Chairman Girgin, Mayor Davis, Councilman Savage, Commissioners Davila, McDonough, Finn, Crate and Thompson. Noes: none. Absent: 1 - Commissioner Christensen. The motion carried.

#### **ANNEXATION STRATEGY**

Mr. Leipzig reported the Commission has reviewed the proposed annexation strategy at previous meetings. He gave an explanation of the objective of the strategy and emphasized it will

be used as a guide and will not replace any legal notification or declaration of intent. Councilman Savage asked questions about the required vote for annexation approval by the property owners within the proposed annexation areas. He voiced concern about fair representation for those in the annex areas. Mr. Leipzig reported it takes two-thirds majority of parcel owners in the annexation area agreeing with the annexation petition for approval. Mr. Leipzig gave a summary of the areas included in the five-year strategy including the back nine of the golf course and some western areas that have been surrounded by the City. He stressed the City would like to look at voluntary annexation initially in all cases. Councilman Savage gave a brief explanation of the City's last experience with involuntary annexation. He went on to ask questions about whether the City will have the ability to provide services to annexed areas. Mr. Leipzig stated the City has 10 years to provide services to annexed areas and he gave a timeline for the process once the notice to annex has been given. Mayor Davis moved to recommend approval of the Annexation Strategy. The motion was seconded by Commissioner Crate. When a vote was taken, the following was recorded, Ayes: 8 - Chairman Girgin, Mayor Davis, Councilman Savage, Commissioners Davila, McDonough, Finn, Crate and Thompson. Noes: none. Absent: 1 - Commissioner Christensen. The motion carried.

#### **DIRECTOR'S REPORT**

The e-cigarette amendments will be discussed at a hearing during the November 17, 2014 Commission meeting. The City has existing regulations for e-cigarette sales but not the use of e-cigarettes according to Mr. Leipzig. The proposed ordinance would regulate e-cigarettes usage the same as cigarettes.

There will be a public hearing for an ordinance to adopt solar energy regulations at the November 17, 2014 meeting.

Councilman Savage reported that Ed Robinson with SEMCO at 58 Highway and Prospect is inviting City staff, elected and appointed City officials, to an event at SEMCO on October 29, 2014 starting at noon. The event is being held to reintroduce their business and take an active part in the community.

There was discussion about the loud music and noise coming from the racetrack located north of 58 Highway and west of Prospect. It was reported the sound was loud in the Cherry Hill Subdivision. Mr. Leipzig stated they will follow up with the police department.

#### **ADJOURNMENT**

Commissioner McDonough moved to adjourn. The motion was seconded. All members present voted in favor and the meeting adjourned at 8:05 p.m.

Ann Keeton  
Community Development Secretary