



**AGENDA
CITY OF BELTON
PLANNING COMMISSION
MEETING & PUBLIC HEARING
MONDAY, JANUARY 5, 2015 - 7:00 P.M.
CITY HALL ANNEX, 520 MAIN STREET**

I. CALL MEETING TO ORDER

II. ROLL CALL

III. APPROVAL OF THE MINUTES OF THE NOVEMBER 17, 2014 PLANNING COMMISSION MEETING

IV. PUBLIC HEARING

- A. Consideration of a Special Use Permit application to allow a semi-truck trailer to be used for advertising on property located between Markey Parkway and I-49.

V. PRESENTATION

- A. North Scott Corridor Plan.

VI. DIRECTOR'S REPORT -

- A. 2014 Yearend Report / 2015 Priority Items

VII. NEXT MEETING DATE: February 2, 2015

VIII. ADJOURNMENT

MEETING MINUTES

NOVEMBER 17, 2014

**Minutes of Meeting
Belton Planning Commission
City Hall Annex, 520 Main Street
November 17, 2014**

CALL TO ORDER

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

ATTENDANCE

Commission: Chairman Girgin, Mayor Jeff Davis, Commissioners Sally Davila, Tim McDonough, Chris Christensen, Chuck Crate and Larry Thompson.

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

Absent: Councilman Tim Savage

MINUTES

Commissioner Thompson moved to approve the minutes from the October 20, 2014 and the November 3, 2014 Planning Commission meetings. The motion was seconded by Mayor Davis. All members present voted in favor and the motion carried.

PUBLIC HEARING - Amendments to the UDC regarding Manufactured Homes

Mr. Leipzig reported this item was continued from the last Commission meeting. Staff has met with manufactured home community property owners and managers twice since September regarding the proposed amendments. Mr. Cooper read aloud all the suggested changes, additions, and deletions in the proposed Ordinance. Chairman Girgin opened the public hearing at 7:06 p.m. This continued hearing was held to receive input regarding proposed amendments to the Unified Development Code (UDC) regarding manufactured home regulations.

Greg McIntire with Peaceful Homes, 533 N. Scott, indicated he would like a copy of the proposed changes before commenting.

Tom Hager, Executive Director of the Missouri Manufactured Housing Association, Jefferson City, stated that he has not seen the proposed amendments. He mentioned there were several concerns from a technical standpoint that need to be reviewed to prevent problems in the future. He suggested that local planning and zoning experts should have the opportunity to look at the proposed regulations before a vote is taken.

Mr. Cooper reported that staff called manufactured home offices and/or owners last week to remind them of tonight's meeting and to inform them the proposed ordinance was posted on the City of Belton website. It was noted the Commission agenda with the proposed ordinance was placed on the City

website on Thursday, November 13. Mr. Leipzig distributed copies of the proposed ordinance to members of the audience. Chairman Girgin closed the public hearing at 7:15 p.m. and moved on to the next agenda item.

PUBLIC HEARING - Amendments to the UDC regarding Solar Energy Installation

Mr. Leipzig reported that staff from Mid-America Regional Council (MARC) spoke to the Planning Commission about adding provisions to the UDC regarding solar energy installation. Some area city's solar energy regulations were used as models for the proposed ordinance language. Mr. Cooper went into detail about MARC's Rooftop Solar Challenge and the Sunshot Initiative, a national effort to make solar energy installation cost effective. He went on to say that MARC has been working with several local jurisdictions to establish the Solar Ready KC initiative. He reported the proposed ordinance contains definitions, the solar installation process, general standards for installation, and nonconformities.

Chairman Girgin opened the public hearing at 7:18 p.m. The hearing was being held to receive public input on amendments to the UDC concerning solar energy provisions. Mr. Leipzig explained MARC's goal is to establish standardized codes and procedures for solar installations throughout the region. There was no public input and Chairman Girgin closed the public hearing at 7:20 p.m. There was a brief discussion about non-conformities, existing solar energy installations, and the solar standard of quality. Commissioner McDonough moved to recommend approval of text amendments to the UDC regarding solar energy installation. The motion was seconded by Commissioner Christensen. When a vote was taken, the following was recorded, Ayes: 7 - Chairman Girgin, Mayor Davis, Commissioners Davila, McDonough, Christensen, Crate and Thompson. Noes: none. Absent: 1 - Councilman Savage. The motion carried.

PUBLIC HEARING – Amendments to the UDC re: alternative nicotine products

Mr. Leipzig reported the proposed amendments relate to Chapter 11 – 60 in the UDC, which is the "smoking in public places" ordinance. He mentioned a few cities have passed or are reviewing similar regulations and stated the Lee's Summit ordinance was used as a model. It was pointed out the proposed ordinance would prohibit electronic cigarettes in the same locations that regular cigarettes are prohibited.

Chairman Girgin opened the public hearing at 7:27 p.m. The hearing was being held to receive public input on amendments to the UDC regarding "smoking in public places," specifically alternative nicotine products. As there was no one present to speak, Chairman Girgin closed the public hearing at 7:27 p.m. Commissioner Crate moved to recommend approval of the amendments to the UDC regarding "smoking in public places," specifically alternative nicotine products and/or vapor products. The motion was seconded by Commissioner Davila. In discussion, Commissioner Christensen asked for further clarification about the legality of the electronic cigarette products which do not produce smoke. Mr. Leipzig explained the definitions that cover inhaling/smoking are consistent with the State interpretation of the act of smoking. When a vote was taken, the following was recorded, Ayes: 7 – Chairman Girgin, Mayor Davis, Commissioners Davila, McDonough, Christensen, Crate and Thompson. Noes: none. Absent: 1 – Councilman Savage. The motion carried.

CONTINUED PUBLIC HEARING – Manufactured Homes

Chairman Girgin reopened the public hearing regarding manufactured homes at 7:30 p.m.

Greg McIntire with Peaceful Homes, 533 N. Scott, disclosed which section of the proposed ordinance he was in agreement with. He suggested that more time is needed for the owners to review Section F and suggested that staff and the owners meet again to discuss the dimensional aspects of that section including subsections 3 - 7. Mr. McIntire was asked to bring proposed language and dimensions with justifications, to the next joint meeting. Mr. Cooper went on to say there have been no changes to Section F since the last Commission meeting.

Jim Huffman, with Plaza Acres Mobile Home Park, asked for clarification on section f.4 “Expansion of Existing Manufactured Home Communities” regarding paved curbed and guttered streets constructed to city standards. He questioned whether the streets, which would be on private property, would become public with the City taking over the maintenance of those streets. He went on to point out the owners currently shovel snow and repair streets/sidewalks within the parks. Mr. Leipzig answered that the language only refers to expanded park areas. He stated the streets would remain private but be built to City standards. Mr. Cooper added that policy is consistent with any other private development in the City. There was no further public input and Chairman Girgin closed the public hearing at 7:37 p.m. Commissioner Christensen moved to recommend approval of amendments to the UDC regarding Sections 1-5 and Section 40-41 residential manufactured home communities as stated. The motion was seconded by Commissioner Crate. In discussion, Mayor Davis commented that he would like to get this amended language right the first time no matter how long it takes. When a vote was taken, the following was recorded, Ayes: 5 – Chairman Girgin, Commissioners Davila, McDonough, Christensen and Crate. Noes: 2 – Mayor Davis and Commissioner Thompson. Absent: 1 Councilman Savage. The motion carried.

FINAL PLAT – Replat of Lot 1 GEP investments (Transwest, Inc.)

Mr. Cooper reported that the replat is needed to accommodate the expansion of the Transwest facility located at 17327 S. Outer Road. The expansion includes a 3.67-acre area which will accommodate a new 122 space parking area which will be used to park recreational vehicles according to Mr. Cooper. He informed the Commission the project will be accomplished in phases and he told what each phase would include. Mr. Cooper pointed out the access to the site, expanded parking and a new maintenance building on a site plan. He also provided information about additional stormwater management, landscaping and screening as a buffer for adjoining residential.

Dave Bowe, General Manager of Transwest, 1517 Wrangler Way, Raymore, MO, answered questions about onsite pavement. He stated the pavement extends to the fence line with the exception of an easement for the cell tower in the northeast corner of the property. No vehicles are being parked on the unpaved portion according to Mr. Bowe. He went into detail about the direction of the stormwater flow and construction of a new stormwater detention basin. Mr. Bowe reported that business has been good and parking is needed for the additional inventory. He gave the estimated cost for each phase of the expansion and projected there will be 25 – 40 new jobs created with the growth. Commissioner

Christensen moved to recommend approval of the final plat replat of Lot 1 for GEP Investments. The motion was seconded by Commissioner Thompson. When a vote was taken, the following was recorded, Ayes: 7 – Chairman Girgin, Mayor Davis, Commissioners Davila, McDonough, Christensen, Crate and Thompson. Noes: none. Absent: 1 – Councilman Savage. The motion carried.

DIRECTOR'S REPORT

Mr. Leipzig presented the directors report which included:

- The planning commission meeting will not be held on December 1, 2014 which is the date of the Mayor's Tree Lighting Ceremony.
- The City Council approved the ROM site plan/plat and work on the building expansion has started.
- The City Council approved the Annexation Strategy.
- Work on Markey Parkway is progressing with the anticipated opening to be in December.
- The opening date for PepperJax Grill is expected to be in December and Planet Fitness had a grand opening last week.
- A tenant finish building permit was recently issued for Harbor Freight.
- Ground was broken for Briar Creek Villas, the senior housing project on Cunningham Parkway.

Mr. Leipzig gave an update on a business owner's request to amend his special use permit (SUP) to allow an outdoor display, and which the planning commission had previously voted to deny. After consulting with the City attorney, it appears that an outdoor display will be allowed, since the outdoor display is a use that would be approved by right. The outdoor display may not obstruct the sight triangle and it has to comply with code requirements according to Mr. Leipzig. There was discussion about whether the digital sign, which was allowed by SUP, is complying with the sign code. It was stated the outdoor display is only allowed during business hours and the display may consist of tires and rims. It was also brought out that the digital sign has always been in violation of the sign code and staff was asked when the SUP is up for renewal. Enforcement of the codes was talked of as the best way to manage the digital sign, the outdoor display, plus the missing monument sign landscaping. Staff reported on the planned improvements for the second business site recently purchased by the business owner. The owner is still trying to determine the extent of the renovations that will be done to the existing buildings on the new property according to Mr. Leipzig. Staff was questioned about the number of tickets that have been issued for the digital sign code violations and there was further discussion about various ways to enforce the codes at both properties.

Mr. Leipzig reported that Carriage Works has placed a hold on their building project until the spring of 2015.

It was announced that Commissioner Steve Finn has submitted his resignation from the planning commission.

Construction on the new Generation 3 QuikTrip Store will begin in January / February of 2015. In addition, QuikTrip is working on an expansion project for the distribution center.

ADJOURNMENT

Commissioner Thompson moved to adjourn the meeting. Commissioner Crate seconded the motion. All members present voted in favor and the meeting adjourned at 8:20 p.m.

Ann Keeton
Community Development Secretary

**SEMI-TRUCK TRAILER
SIGN**



**PLANNING COMMISSION REGULAR MEETING
CITY HALL ANNEX, CITY COUNCIL ROOM
520 MAIN STREET
MONDAY, JANUARY 5, 2015 – 7:00 P.M.**

STAFF: Robert G. Cooper, City Planner

CASE #SUP15-01

Request: Pavilion Properties, LLC, has requested a Special Use Permit, to allow a semi-truck trailer to be used for advertising, to be located on their property, between Markey Parkway and Interstate 49.

Legal Description: Un-platted

Owner / Applicant: Pavilion Properties, LLC

Size of Site: 30.0+ acres

Existing Zoning / Land Use: C-2 / Commercial/Retail Stores

Proposed Use: Commercial/Retail

Surrounding Zoning / Land Use:

North: C-2 / General Commercial

East: C-2 / General Commercial

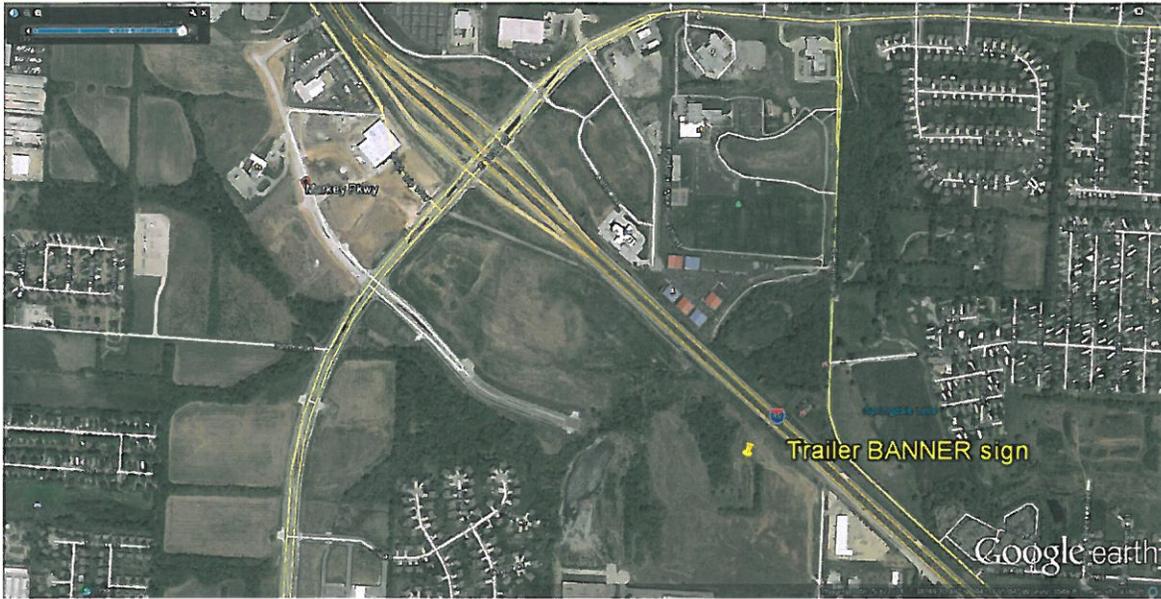
South: C-2 / General Commercial

West: C-2 / General Commercial

Comprehensive Plan: Commercial / Retail Stores

Nature of Current Request

Pavilion Properties, LLC, has placed the semi-truck trailer sign on their property in an attempt to draw attention to their newly accessible commercially zoned property. This vacant land area has recently become marketable due in-part, to the city's efforts in completing the newest segment of the Markey Parkway, which is located just north of the Town Center shopping district. Pavilion Properties land, has become highly visible from Interstate 49.



Aerial view of the surrounding area

CODE CITATION

Section 1-5 / Definition:

Vehicle sign- a sign attached to, placed upon, mounted, painted, pasted, or drawn on any vehicle or trailer that is parked on a property for the principal purpose of displaying the sign message and is not regularly and customarily used in the operation of the business.

Section 30-6(2) / Prohibited signs – the following signs are prohibited:

(2) vehicle signs

HISTORY

The subject property is currently zoned C-2 (General Commercial) District. The subject land area contains approximately 30-plus buildable acres. The vacant land area has recently been made marketable due to the completion of the Markey Parkway and Town Center Drive, combined with exceptional visibility from Interstate 49 with the removal of existing vegetation, has motivated the property owner to install the trailer sign.

STAFF REPORT

Welfare and Convenience of the Public

By permitting a semi-truck trailer as a sign (vehicle sign) would be contrary to city code (as stated) and be in opposition to the city's beautification plan. The 'vehicle sign' provides no beneficial convenience to the welfare of the general public.

Injury to Surrounding Property

The surrounding area is zoned for commercial use. By allowing the ‘vehicle sign’ / semi-trailer, to remain in place may cause injury to surrounding properties.

Pursuant to Section 4-1(b)(8) of the Unified Development Code (UDC), truck trailers are permitted in all commercial and industrial zoning districts, provided they are backed up to an approved loading dock. Nowhere in Section 4-1 is there a provision of allowance, for a truck trailer to be used for advertising.

Domination of the Neighborhood

This property has frontage on Interstate 49, and is a commercial zone, and adjoins with other potential commercial users within commercially zoned properties, which encompass the adjoining environs. It appears, the ‘vehicle sign’ / semi-trailer, will dominate the local area by its sheer size and it being an eye-sore.

The applicant believes that no adjacent property owner will be negatively affected by the special use request. The applicant also believes the sign will have an opposite affect by increasing property values.

Proposed Use will detract or encroach upon welfare or convenience of the public

It appears the semi-truck trailer sign (‘vehicle sign’) will detract and encroach upon the welfare or convenience of the public. A contributing factor is the size of the trailer, which at 40-feet in length and twelve-feet (12’) tall, the vehicle sign will be out of scale with the surrounding area, not blend well with the existing landscape, by being an eye-sore and by creating a blighting effect.

The purpose of the ordinance is to encourage effective use of signs as a means of communication for businesses, organizations and individuals in the city.

In addition, the ordinance is designed to prevent signs from becoming a public nuisance; e.g. prohibit signs of excessive size and quantity, that they obscure one another to the detriment of the economic and social well-being of the community; to protect the safety and welfare of the public by minimizing hazards to pedestrians and vehicular traffic; to preserve property values by preventing unsightly and chaotic development that has a blighting influence upon the community; and to minimize the possible adverse effects of signs on near-by public and private property, and to implement the goals and objectives of the growth management plan.

STAFF RECOMMENDATION

Staff’s recommendation is to deny the request.

NOTE: By not approving the request to allow the use of a semi-truck trailer as a means to advertise, does not eliminate all available options to the applicant to use as suitable signage.

Currently, under Section 30-9(i)(3) of the Unified Development Code, a temporary real estate sign; not to exceed 32-squre feet in size and six-feet (6’) in height, is permitted on private property which is available for sale or lease.

Should the Planning Commission wish to deny Special Use Permit #15-01, to allow a semi-truck trailer sign for Pavilion Properties, LLC, located between Markey Parkway and Interstate-49, the following finding(s)-of-fact shall apply:

1. The request is in direct opposition to Section 30-6(2) of the Unified Development Code;
2. The required findings cannot be made; and
3. The proposed use is found to be incompatible with the surrounding area.

PLANNING COMMISSION ALTERNATIVES

The Planning Commission has the following options available in the consideration of this application:

1. Approve the application as submitted upon finding that the requirements of Chapter 40, Special Use Permits, of the Unified Development Code have been satisfied.
2. Approve the application subject to specified conditions.
3. Table the application if additional information is needed, such as time of use or other related factors.
4. Deny the application if the required findings cannot be made or if the proposed use is found to be incompatible with the neighborhood.

Attachments:

- 1) Aerial Map
- 2) Photograph

PAVILIONS OF BELTON

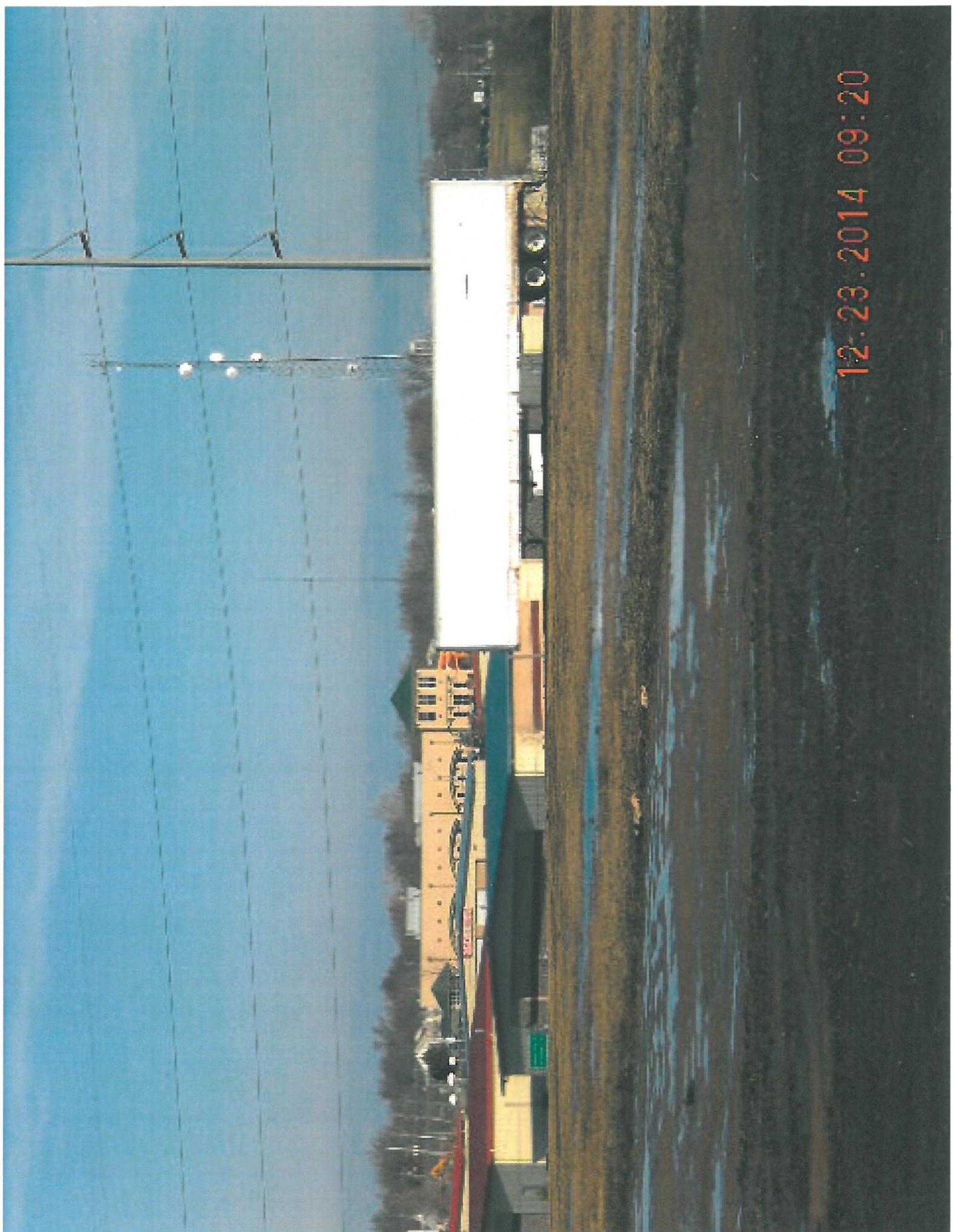
33 +/- ACRES

Full Access / Sub Dividable
All New Infrastructure

816-918-1585

816-686-7449

12.23.2014 09:18



12-23-2014 09:20

NORTH SCOTT CORRIDOR PLAN



**PLANNING COMMISSION MEETING
CITY HALL ANNEX, CITY COUNCIL CHAMBERS
520 MAIN STREET
MONDAY, JANUARY 5, 2015 - 7:00 P.M.**

TO: Belton Planning Commission Members

FROM: Jay Leipzig

DATE: January 5, 2015

RE: **North Scott Corridor Plan Review**

As you are aware, the City Council has actively been working on improving the primary gateways and corridors within the community of Belton. In in this regard, the Community and Economic Development Department was allocated funds for the hiring of a planning consultant to develop the North Scott Corridor Plan.

After an extensive selection process, including a Request for Qualifications and a Request for Proposals, a Committee comprised of City staff, a Planning Commission member and member of the City Council selected Confluence, a nationally recognized planning and design firm to oversee this effort. The Consultant immediately began meeting with staff over several weeks, and developed a list of steering committee members for the North Scott project and a general framework for the development of the Corridor Plan. The Steering Committee members were comprised of over 30 residents who have direct influence in the Corridor to provide guidance to the project to ensure successful implementation. This Committee met three times on September 29, November 6 and December 11, 2014.

In addition, two public meetings were held to receive public comment and to build public consensus for the project as it moved forward. Public Meetings were held on September 30, 2014 and December 11, 2014. The meetings were well attending and included representatives from the community, as well as Planning Commission and City Council members and City staff.

On January 5, 2015, the Confluence design team will be presenting an overview of the North Scott Corridor Plan and the general recommendations. Upon a recommendation from the Planning Commission, this item will be presented to the City Council during the Work Session on January 20, 2015.

2014 REVIEW

2015 PRIORITY ITEMS



COMMUNITY & ECONOMIC DEVELOPMENT
Jay C. Leipzig, AICP
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MEMORANDUM

TO: Chairman Girgin and the Belton Planning Commission

FROM: Jay Leipzig, AICP – Director of Community & Economic Development

DATE: January 5, 2015

RE: **2014 Year-in-Review for Planning Commission and Board of Zoning Adjustment Activities and 2015 Priority Items.**

The following report provides an overview of activities of the Planning Commission and the Board of Zoning Adjustment for the City of Belton, Missouri. The report below comprises three components: 1) An overview of Basic Statistics of the Planning Commission and Board of Zoning Adjustment; 2) List of Major Accomplishments in 2014; and 3) List of Proposed Issues and Key Projects in 2015. This document can be used as a summary guide to reflect upon the accomplishments of the past year, and also to provide a basic schedule of items that will be brought forward for review in 2015.

An overview of basic statistics of the Planning Commission

- The Commission met sixteen (16) times in 2014 and nine (9) meetings were canceled due holidays or no applications/cases to consider.
- The Commission considered and/or discussed 28 cases during the year.
- The Commission held thirteen (13) public hearings for planning related items.
- The Commission reviewed four (4) Special Use Permit (SUP) applications.
- Nine (9) text amendments were recommended for approval to the City Council.
- There were five (5) Final Plats and/or Final Development Plans approved including Carriage Works, Briar Creek Villas, ROM, Cherry Hill Commercial, and Transwest.
- Two (2) applications for Lot Splits were considered.
- Steve Finn resigned from the Commission and Ryan Finn was appointed in December of 2014 to fill this vacancy.

List of Major Accomplishments in 2014 (In Chronological Order when originally discussed)

- Review and recommendation of approval of an SUP to allow a horse racetrack, north of 58 Highway, west of Prospect.
- Review and recommendation of approval of amendments to the Unified Development Code (UDC) regarding updates to the Planning Commission and Zoning Board of Adjustment membership and meeting guidelines.
- Review and recommendation of approval of amendments to the UDC for the creation of the Markey Regional Detention Fee Program.
- Review and recommendation of approval of amendments to the UDC regarding working in the right-of-way regulations.
- Review and recommendation of approval of amendments to the UDC regarding updates to the City Development Fee Schedule.
- Review and recommendation of approval of an SUP to allow a shaved ice business to operate at 209 E. North.
- Review and recommendation of approval of amendments to the UDC regarding tobacco retail sales establishments.
- Review and recommendation of approval of an SUP for a Childcare Center at 120 Cunningham Parkway.
- Review and approval of a Preliminary Plat for C & M Realty for Carriage Works at 401 N. Scott.
- Review and recommendation of approval of a Final Plat for C & M Realty for Carriage Works at 401 N. Scott.
- Review and recommendation of approval of a Final Plat for Briar Creek Villas on Cunningham Industrial Parkway.
- Review and approval of a Site Plan for QuikTrip Generation 3 Store at 501 E. North Avenue.
- Review and recommendation of approval of a Five, Ten and Fifteen Year Annexation Strategy.
- Review and recommendation of approval of a Belton Beautification Plan.
- Review and recommendation of approval of the Final Development Plan for Carriage Works and Briar Creek Villas.

- Review of amendments to the UDC regarding Manufactured Homes.
- Review and recommendation of approval of the Capital Improvement Program (CIP).
- Review and recommendation of denial of an SUP for a body art business at 212 E. North.
- Review and approval of a Lot Split at 1730 E. Cambridge.
- Review and approval of a Lot Split at 400 Mill Street.
- Review and recommendation of approval of a Final Plat and Final Development Plan for ROM at 6800 E. 163rd Street.
- Review and denial of a request to allow an outdoor storage display at 100 N. Chestnut.
- Review and recommendation of approval of a Final Plat for Cherry Hill Commercial 4th Plat.
- Review and recommendation of approval of amendments to the UDC regarding solar installation requirements.
- Review and recommendation of approval of amendments to the UDC regarding “Smoking in Public Places,” specifically electronic cigarettes.
- Additional review and recommendation of approval of amendments to the UDC regarding manufactured homes.
- Review and recommendation of approval of a Final Plat for Transwest at 17327 S. Outer Road.

An overview of basic statistics and variance applications considered by the Board of Zoning Adjustment in 2014

- The Board met and considered three (3) variance applications in 2014.
- The Board considered and approved a variance request for side and rear yard setbacks to allow larger homes to be built on previously platted lots in the Meadow Creek Subdivision.
- The Board considered and approved a variance request to Section 30-8(g) of the UDC to allow a monument sign to exceed the height permitted by code at Peaceful Homes Manufactured Home Park located at 533 N. Scott.
- The Board considered and approved a variance request to allow a carport to extend into the front yard setback on a property located at 406 Prairie Lane.

List of Proposed Issues and Key Projects in 2015

The following are recommendations of proposed issues to be discussed with the Planning Commission. In addition to those items described below, there will be additional projects submitted by private developers. Private development projects include potential tax increment financing applications, zoning changes, lot-splits, plat revisions and preliminary/final development plans.

- Review and discussion of the North Scott Corridor Plan and implementation strategy.
- Review and recommendation of approval for the Belton Capital Improvement Plan.
- Develop a Markey Business Park Plan.
- Develop future Transportation Development Districts (TDDs) for the alignment of the undeveloped portions of the proposed Markey Parkway.
- Establish a 353 Rehabilitation/Renovation Program for Old Town Belton in association with Downtown Belton Main Street, Inc.
- Creation of possible financial strategies necessary to implement key components of the North Scott Corridor Plan.
- Begin Preparatory Work for a Comprehensive Plan Update.
- Staff will also be developing and refining several internal processes, including:
 - 1) Continue to develop a library of planning and community development materials about Belton. (On-going)
 - 2) Continue to refine the Plan Review Process to ensure consistency. (On-Going)