

**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