



**AGENDA
CITY OF BELTON
PLANNING COMMISSION
MEETING & PUBLIC HEARING
MONDAY, APRIL 20, 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 APRIL 6, 2015 PLANNING COMMISSION MEETING**

- IV. PUBLIC HEARING**
 - A. Consideration of a Special Use Permit for Best Friends Pet Grooming
 - B. Consideration of changes to the Unified Development Code (UDC) for the Fire Department.
 - C. Consideration of a ROW Vacation on Fifth St between Ella/Scott.

- V. CONSIDERATION**
 - A. Consideration of a Heartland Dental Final Development Site Plan

- VI. NEXT MEETING DATE: MAY 4, 2015**

- VII. ADJOURNMENT**

MEETING MINUTES

APRIL 6, 2015

Minutes of Meeting
Belton Planning Commission
City Hall Annex, 520 Main Street
April 6, 2015

CALL TO ORDER

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

ATTENDANCE

Commission: Chairman Girgin, Mayor Jeff Davis, Commissioners Chuck Crate, Ryan Finn, Sally Davila and Councilman Tim Savage.

Staff: Jay Leipzig, Community and Economic Development Director; Carolyn Yatsook, Economic Development; and Jennifer Dutcher, Community Development Secretary.

Absent: Commissioner McDonough, Commissioner Christensen, Commissioner Thompson

MINUTES

Commissioner Crate moved to approve the minutes of the March 16, 2015 Planning Commission meeting. Councilman Savage seconded the motion. All members present voted in favor and the motion carried.

DISCUSSION

Community and Economic Development Director, Jay Leipzig addressed the Commission to open the discussion of the North Scott Corridor Plan. Mr. Leipzig introduced Economic Development Specialist Carolynn Yatsook bringing into light her recent publication in the Missouri Municipal Review which highlighted the City of Belton and the Markey Parkway Development. Mr. Leipzig stated people are really talking about what's happening in Belton. Mr. Leipzig then began an overview of the implementation of the North Scott Corridor Plan highlighting the 7 key components.

1. **Create the Zoning Category of Flex- Industrial/Commercial Zoning and Update the Current Zoning Map.**
2. **Update the Belton Comprehensive Plan to Include Flex Zoning Classification.**

Mr. Leipzig explained these steps are critical for they identify the zoning category by definition as well as incorporates that into our current zoning and future land use maps as well as the comprehensive plan. Flex Zoning would be a combination of Industrial and Commercial zonings equating to a Light Industrial zoning with no outside storage and be pleasing in appearance but could also be used as Commercial space.

3. Creation of a Missouri 353 Redevelopment Corporation to Implement and Guide Redevelopment of the Corridor and the Creation of a 353 Redevelopment Plan.

Mr. Leipzig explained this step proposes the development of a legal entity that oversees the development of the Corridor. Chairman Girgin asked what is the process for the selection of this legal entity. Mr. Leipzig stated the Council would appoint members of the board; however consultants can also make recommendations. Interested persons would also be encouraged to apply, which could also include key business owners. The 353 Board which can hold, convey or own property, would primarily steer the development. Councilman Savage indicated he would like to have a better understanding of the 353. Mayor Davis brought into discussion that Mr. Leipzig is not new to this type of development, as he worked with Independence Regional Health Center redeveloping almost 150 parcels along Truman Road. Mr. Leipzig stated by this program being voluntary, owners could be offered tax incentives for bringing properties up to current building codes which in turn increased property value. Eminent domain was brought into conversation by Commissioner Crate questioning if a corporation could take over certain properties, is that part of the plan? Mr. Leipzig replied that would be a worst case scenario. Councilman Savage stated he believes the action of Eminent Domain should remain in the hands of the Council. Mr. Leipzig stated as of the last 3 to 4 years, legal precedence of eminent domain are pro property rights and should be the ultimate last resort. Mayor Davis indicated he is not in favor of non-elected officials making those types of decisions. Commissioner Crate questioned if the Commission would need to send a proposal or motion to the City Council? Mr. Leipzig followed by indicating eventually the Planning Commission will probably make a formal recommendation to the City Council.

4. Development of Design Guidelines and Standards.

Mr. Leipzig stated these designs are fairly standard. A consultant could provide the designs and staff could assist with the effort. Councilman Savage questioned the building setbacks, if anything will be done with them? Mr. Leipzig stated the development would be working with different standards and setbacks that encourage development. Commissioner Crate questioned the ownership of the railroad tracks between 58 and 150? Mr. Leipzig said the railroad is owned by a privately held railroad company, and appears the use to be primarily as a hobby. The Railroad has been a huge constraint in terms of the size of those properties.

5. Creation of Incentives to Attract Key Developments in the Corridor.

Mr. Leipzig presented the information that envisions a Quick Start program that would be implemented whereby projects which meet certain criteria may be eligible for a 100% reduction in fees if the projects are initiated before a certain date. In this case, the first three projects that are brought forward which entail either new construction on a vacant parcel or the substantial redevelopment of an existing parcel totaling at least \$1 million dollars of investment and the creation of 15 additional jobs, will be eligible for a 100% waiver of the street impact fee or building permit fee. This type of Quick Start program would entice the redevelopment in the area. Councilman Savage noted it will be interesting to see what legal says we can do; we have always been told we cannot pick and choose on impact fees. Mr. Leipzig addressed this statement by saying as long as we keep a set time with a number of projects, very clear parameters, and be very careful as to the language, it can be done. We will be hammering out the details and looking for feedback.

6. Work with the Belton Parks Department and the Railroad to provide Rail to Trail opportunities along the North Scott Corridor.

Mr. Leipzig stated this is an ideal situation, removing the rail line and making a bike/walking trail possibly from North Scott to Memorial Station-with a link over to Wallace Park. Owners of the Railroad have reached out to us in terms of the North Scott Corridor Plan and were generally supportive. They attended the ribbon cutting for Markey Parkway. The City will be looking for possibly a shared easement with the rail line. Mayor Davis questioned who's responsible for the intersection maintenance? Mayor Davis then indicated the maintenance is the responsibility of the Railroad and we go ahead as good neighbors when we hear enough noise and always make those repairs.

7. Create Streetscape Beautification Enhancements.

Mr. Leipzig indicated the City has passed a beautification plan and has identified key areas beginning at the corridor starting around 155th street and North Scott. The City could really utilize the Park Department's assistance with signage, planting and design. Mayor Davis agreed with Commissioner Crate that joint work sessions between the City Council and Planning Commission would be beneficial. Mayor Davis stated as we evolve as a City we probably need to have more of those types of meetings; joint work sessions could possibly be held at Memorial Station. Mayor Davis appreciates how much hard work is going into this project. Stating all projects start with discussion and there are no opinions we will not listen to.

Mayor Davis moved to approve the creation of the Zoning Category of Flex- Industrial/Commercial Zoning and proceed with the Update of the Current Zoning Map and to update the Belton Comprehensive Plan to Include Flex Zoning Classification, with a second by Commissioner Crate.

When a vote was taken, the following was recorded, Ayes: 6 – Chairman Girgin, Mayor Davis, Commissioners Finn, Crate, Davila and Councilman Savage. Noes: none. Absent: 3 – Commissioner McDonough, Christensen and Thompson. The motion carried.

Councilman Savage asked if staff will be completing this work or seeking help from others? Mr. Leipzig addressed this concern by stating we have a preliminary draft that Confluence has given to us already with what the Flex Zoning would be. The bulk of the work, roughly 90% would be completed by staff in house. Just a little bit of that work would be some consulting.

Mr. Leipzig addressed Chairman Girgin reiterating that staff will continue to move forward on the other items and will be updating the City Council. The Planning Commission may have another general discussion about it and continue to build a consensus as these meetings are always helpful.

Commissioner Crate moved that when staff is ready to bring these two issues forward: The creation of the Zoning Category of Flex and the update of the Belton Comprehensive Plan to include Flex, that we have a joint meeting with the Council to consider those two issues. Mayor Davis seconded.

Clarification of this being a work session was questioned by Mayor Davis, Commissioner Crate indicated yes, this would just be an open work session.

When a vote was taken, the following was recorded, Ayes: 6 – Chairman Girgin, Mayor Davis, Commissioners Finn, Crate, Davila and Councilman Savage. Noes: none. Absent: 3 – Commissioner McDonough, Christensen and Thompson. The motion carried

DIRECTORS REPORT

Mr. Leipzig updated the Planning Commission on activity within Community & Economic Development. The next Planning Commission meeting will be a full schedule. Some items included on the April 20th Planning Commission include the following:

- Heartland Dental Site Plan for your review. This is a two tenant site. One will be Heartland Dental and the other will be a Restaurant. Preliminary review of the plans look pretty good; staff has no major concerns. The Department is working closely with the Fire Department concerning hydrant placement.
- Special Use Permit (SUP) has been submitted on behalf of Best Friends Pet Grooming in Cherry Hills.
- A property owner has requested the City convey property to him including some right of way located at the corner of Ella and S. Scott.
- Changes to the Unified Development Code (UDC) for the Fire Department.

Lastly,

- Autumn Woods' Final Site Plan and Final Plat however, this item may be delayed until May 4th.

May 4th we will have a Site Plan/Conceptual Plan and a rezoning application for a new restaurant on Peculiar Drive. Area is currently zoned M1, however the applicant will be requesting a rezoning to a C2 General Commercial.

Also, another Site Plan review for a large box development in the Gateway area should be brought forward by Christy Development. This project will be a 55,000 square foot store adjacent to Academy Sports.

The Department recently met with the Developer of Carnegie Village- they wish to expand their facility with an addition of 80 beds. At this time they are working on State of Missouri approval.

The Department will be receiving plans for the Cedar Tree Shopping Center update sometime in May.

Mr. Leipzig gave a brief overview of the recent City tour before the Markey Parkway ribbon cutting on April 2nd.

Before Congresswoman Vicky Hartzler's arrival, a tour was conducted at Kuecker Logistics. Mayor Davis shared his amazement at the technology within the building, stating it to be spectacular, straight out of

a sci-fi magazine. Mr. Leipzig shared that Kuecker will be expanding another 8,000 square feet in the front of the building and another 5,000 square foot in the back of the building.

Just prior to the Markey Parkway ribbon cutting, Congresswoman Vicky Hartzler was able to attend the tour of the Quik'nTasty Distribution Center. Mr. Leipzig stated we are involved right now in the review of the changes of their assembly system and shelving units, a \$30 Million dollar redevelopment within the existing envelope of the building. Quik'nTasty currently employs 1071 employees and has a 300,000 square foot warehouse.

Commissioner Crate questioned how the lumberyard (Menards) is doing? Mr. Leipzig indicated he is in contact with them every week and they are indicating that they are still coming. They have told us they will start construction this summer and they are still on schedule with an opening for February 2016.

The next Planning Commission meeting is scheduled for April 20th.

ADJOURNMENT

Commissioner Finn moved to adjourn the meeting. The motion was seconded by Commissioner Crate. All members present voted in favor and the meeting adjourned at 8:08 p.m.

Jennifer Dutcher
Community Development Secretary

Special Use Permit for Best Friends Pet Grooming



**BELTON MISSOURI - PLANNING COMMISSION
REGULAR MEETING – CITY COUNCIL ROOM
CITY HALL ANNEX, 520 MAIN STREET
MONDAY, APRIL 20, 2015 – 7:00 P.M.**

STAFF REPORT: Robert G. Cooper, City Planner

CASE #SUP15-06

Request: Special Use Permit to allow a pet grooming business to operate on property zoned C-2 (General Commercial) District.

Location: The physical address is 129 Cherry Hill Drive

Property Description: Cherry Hill Commercial Park, 3rd Plat, Lot 4

Owner / Applicant: Maier Investments, LLC (building owner) / Belle Wead (applicant / business owner)

Size of Site: 34,169-sq. ft. / 0.78-acre

Building Size: 4,264-sq. ft. / divided into four (4) tenant spaces

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

Proposed Use: Pet Grooming

Surrounding Zoning / Land Use:

North: R-1 / Single-Family Residential

East: C-2 / Commercial

South: C-2 / Commercial

West: BPR / Business Park Restricted

Future Land Use Map: Commercial

Code Citation:

Pursuant to Chapter 11.2.7 of the Unified Development Code, 'Animal Services' type use in the C-2 (General Commercial) zoning district requires a Special Use Permit.

Nature of Current Request

The applicant and business owner, Belle Wead, has contacted the City to gather information on what requirements are needed to operate a pet grooming business at 129 Cherry Hill Drive.

According to the applicant, all animals and activities associated with the use will be contained within the building...no kennels will be used or stored outdoors.



Aerial photo of surrounding area

History

The four (4) tenant space commercial building (Lot 4) was originally constructed in 2007. The site layout was originally designed to serve as an anchor commercial site for the Cherry Hill commercial subdivision. The Cherry Hill Commercial Park 3rd Plat consists of four (4) platted lots, all approximately 0.80-acre in size. Presently, only Lot(s) 1 and 4 are built out with Lot 4 having a four tenant pad site, with all but one tenant space currently unoccupied.

STAFF REPORT

Welfare and Convenience of the Public

It's believed that permitting a pet grooming business in the proposed location could contribute to the welfare and convenience of the public by providing a service in the neighborhood.

Injury to Surrounding Property

It appears the proposed use will not have an adverse affect on the surrounding or abutting properties provided the user does not store any kennels or materials outdoors.

Domination of the Neighborhood

The site on Cherry Hill Drive is an office / commercial building which is currently under utilized. It appears to staff, the proposed use as a pet grooming business will not dominate the neighborhood, in addition, it will occupy a commercial building that will provide a community service and add to the diversity of the Cherry Hill commercial commerce zone.

Off-Street Parking / Access

The Unified Development Code requires, "one (1) parking space for every 1,000-s.f. of non-office floor area". Based on the total square footage of the building and the available tenant space, it appears there will be ample parking. Currently, there are twenty off-street parking stalls within the site.

There is direct access from Cherry Hill Drive which is the primary source of ingress/egress. Due to the staggered scheduling scheme of the business owner and relatively low volume of users, no additional access or traffic calming devices are needed.

Signage

The site currently has a wall sign cabinet on the front facade of the building. The applicant will be required to utilize the available wall sign cabinet with an approved sign permit, per city code.

Staff Recommendation

Approval... subject to the following condition(s):

- 1. No issuance of the Certificate of Occupancy for 'Best Friend Pet', until the site has had a final life safety inspection;
- 2. No kennels shall be stored or used outdoors;
- 3. No outdoor storage of supplies and/or material unless fully screened from public view;
- 4. All grooming activities shall be performed indoors only.

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 15, Unified Development Code for Special Use Permits, as been satisfactorily addressed.
- 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. Applicant's Business Plan, Policy & Procedures
- 2. Copies of business recommendations

FILE COPY

MAR 26 2015

City of Belton Planning Committee

Best Friends Pet Business Plan and a brief narrative.

I opened BFP Peculiar, Mo Winter of 2010 to current. Licensed and insured Grooming and Pet Care. I have never had a complaint from a neighbor, several attended our Ribbon Cutting in 2012. It has been my pleasure get to know our neighbors in Twin Oaks Subdivision through grooming their pets. Past and current member Peculiar COC 2010-current.

From Jan 2004 to June 2012 I groomed in the Lionsgate Pet Hospital located At 143rd and Metcalf. After 8 ½ Years my grooming outgrew the practice and I moved to 13008 State Line Rd. Leawood ,Ks 66209. Leawood Square. Opening day Flag Day June 14th 2012.

We are licensed and insured Grooming and Pet Care. Several of our neighbors attended Our Ribbon Cutting with the Leawood Chamber of Commerce 2012.

I offer Petcab service and generally Petcab through Belton including Loch Loyd. They just can't build the houses fast enough! Several clients built there from OPK. I have been in contact with Diane Huckshorn and look forward to joining the Belton COC.

Our current business hours are Tuesday- Fri in Leawood. Tuesday is our early Day we open at 7:30 Weds-Fri we open at 9:00. We like to close at 3:00 Our Peculiar location is open Sat at 9:00- 4:00 We do not offer boarding. No pets are left in our facility overnight.

Cintas provides our entry mats.

Coverall of Ks sanitizes our floors to hospital grade weekly.

Safe and secure footing is important.

Protection 1 is our current alarm co.

State Farm handles my insurance.

I've been grooming for over 30 Years professionally.

Featured on the cover of 435 magazine March 2013

Published author Metro Pet Magazine most recently Feb 2015.

Morgan Miller Plumbing is my commercial plumber. They will be installing my new stainless steel hydraulic pet bathing tub, \$1500. plus tax and s/h

I look forward to be a valued service in this community.

For more information please visit our website: www.bestfriendspet.us

Licensed/Insured Grooming & Pet Care

Leawood Square
13008 State Line Road
Leawood, Ks 66209
Ph.(913) 498-1397
Tuesday Open 7:30
Weds-Friday Open 9:00
credit cards/checks/cash

[Larger Map](#) > Leawood Map BFP

Peculiar, Mo
(816)984-5481 call for
appt.
Cash/Check [View Larger Map](#) > MAP CLICK HERE



- [Home](#)
- [About Us](#)
- [Services](#)
- [Referrals/Reviews](#)

Best Friends Pet facebook



Name: Best Friends Pet
Status: Thank you Charlene, "Lula's" mom for the Dunkin...

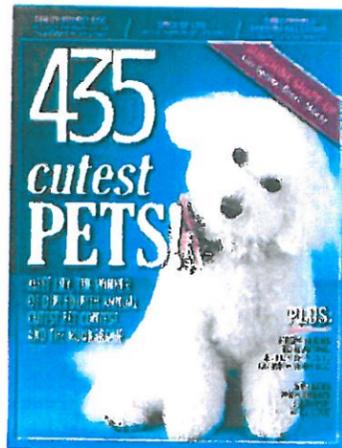
Pet Grooming

Reviews

Annie Sep 6, 2012



Absolutely wonderful!! I have taken my dog to many places trying to find a loving, caring, not to mention clean place to leave her to be groomed. I thought it would be an endless search until I found Best Friends Pet!! We've found our



A recent example of our grooming
Featured here on the March 2013
Cover of 435 Kansas City. Lily won a
cuteness contest with the winning photo
shot in house by our photographer
Boden Photography.

Please visit our Services page to see what we offer, as well as for general pricing.

Visit our About us page for a little of our history.

Visit our Referrals/Reviews page from some satisfied pets and owners.

Thank you for visiting and I hope to see you soon!



FILE COPY

City Administrator
Brad Ratliff

City Clerk
Janet Burlingame

City Engineer
Carl Brooks

Business Office
Trudy Prickett



Municipal Offices - 250 S. Main Street, Peculiar, MO 64078
Phone: (816)779-5212 Facsimile: (816)779-1004

Chief of Police
Harry Gurin

City Planner
Cliff McDonald

City Attorney
Reid Holbrook

Parks Director
Nathan Musteen

March 26, 2015

Belton Planning Committee
506 Main Street
Belton, MO 64012

Dear Committee Members,

I writing as a request for a reference letter on behalf of Belle Wead, Best Friends Pet. Ms. Wead operates her business from her home in Peculiar, Mo. Since opening and operating her business in Peculiar; we have not received any complaints on her business operation from her neighbors. She has always met the required City ordinances on operating her business and has maintained the required codes to operate a business in the City of Peculiar. She is active in supporting the community and is a member in good standing with the Peculiar Area Chamber of Commerce.

If you have any questions, please feel free to contact me.

Respectfully,

Brad Ratliff
City Administrator

cc: Belle Wead, Best Friends Pet

FILE COPY

MAR 26 2015



City of Belton, Missouri

March 24th, 2015

Robert G. Cooper:

This letter's purpose is to give a brief experience with our neighbor, Best Friend's Pet. I have been next door neighbors with Belle Wead for approximately 3 years. She has been beneficial to our business because she has referred her many clients to our office. Belle is a very kind woman and has been easy to talk to and understanding if a conflict ever arises, which is rare.

Belle Wead has done an excellent job with keeping the sound of the dogs and pet smell out of our office. This was done by improvements that she put in her space at her own expense. She has let tons of kids from our office come in to let them see her puppy clientel. We are really sad to see Belle go, but we truly want to see her business succeed.

In good health,

A handwritten signature in black ink, appearing to read "Adam Dinkel", written over a circular stamp or mark.

Dr. Adam Dinkel, DC



Dr. Adam J Dinkel, DC, FASA

Dinkel Chiropractic and Acupuncture, PA
13010 State Line Rd
Leawood, KS

Phone: 913-338-0907 Fax: 913-338-0909
www.dinkelchiropractic.com

FILE COPY



Whole Health Pet Center
18011 E State Rte 58
Raymore, MO 64083
816-331-1868
www.wholehealthpetcenter.com

Sandi Leonard, DVM, CVA, CVFT, CAC

March 27, 2015

To Whom It May Concern:

I write this letter in regards to the request for a business permit by Belle Wead of Best Friends Pet Grooming. I have known Belle for several years and as a Cass County area veterinarian she is one of few groomers I can highly recommend to my clients. Her attention to good customer service, quality grooming, and kind treatment of the dogs in her care assure that clients I refer will leave her business pleased with the results.

I have visited both of her current grooming shops, one in Leawood and one in Peculiar. Both are always clean with no odors. I have seen barber shops for people that are less sanitary than her shops. I know her current neighbors in Leawood have found her a good business partner as well. She believes in promoting other area businesses for the mutual benefit of all and would be a good addition to any community seeking to promote local business and encourage networking between them.

In summary, I highly recommend to your committee that you allow and encourage the opening of a new dog grooming shop in the location Belle Wead has selected.

Sincerely,

Sandi Leonard, DVM, CVA, CVFT, CAC
Owner, Whole Health Pet Center

**Fire Dept. Unified Development Code (UDC)
changes.**



BELTON FIRE DEPARTMENT

Norman Larkey • Fire Chief

The Belton Fire Department is requesting amendment of the City of Belton Unified Development Code. This language change does not alter the intent of the UDC, rather clarifies language to match language already in place in the 2012 International Fire Code.

The language recommended for deletion and replacement is listed below:

- For removal: Sec.16-2 (ref: 2012 International Fire Code Section 109.4)
Insert: misdemeanor, \$500.00, 90
- For adoption: (2012 International Fire Code Sec.109.4) **Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the *approved construction documents* or directive of the *fire code official*, or of a permit or certificate used under provisions of this code, shall be guilty of a *misdemeanor*, punishable by a fine of not more than *\$500.00* dollars or by imprisonment not exceeding *90* days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Questions or comments regarding this matter can be directed to the Belton Emergency Service's Fire Prevention Division.

Thank you for your consideration,

Bobby Sperry

Battalion Chief-Fire Marshal
Belton Fire Department
16300 N. Mullen Rd.
Belton, Mo 64012
(Office) 816-331-7969
(Fax) 816-322-7368

BILL NO. 2015-__

ORDINANCE NO. 2015-_____

AN ORDINANCE AMENDING SECTION 16-2, ENTITLED "AMENDMENTS TO AND DELETIONS FROM THE INTERNATIONAL FIRE CODE" OF THE BELTON UNIFIED DEVELOPMENT CODE.

WHEREAS, the City of Belton adopted the Unified Development Code ("UDC") December 13, 2011; and

WHEREAS, the Belton Planning Commission held public hearings to solicit comment on proposed amendments to the UDC at its regular meeting on April 20, 2015; and

WHEREAS, the Belton Planning Commission voted by a majority of those present to recommend approval of the proposed amendments to the UDC.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF BELTON, CASS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. That Section 16-2, entitled "Amendments to and Deletions from the International Fire Code", of the Belton Unified Development Code is hereby amended with the addition of the underlined language and deletion of the stricken language:

Sec. 16-2. - Amendments to and deletions from the International Fire Code.

The International Fire Code is amended as follows:

Section 101.1 Insert: City of Belton

Amend Section 108 as follows:

Section 108.1 Board of appeals established. The Building and Fire Prevention Code Board of Appeals shall hear and decide appeals of orders, decisions, or determinations made by the fire code official relative to the application and interpretation of this code.

Delete section 108.2 in its entirety.

Delete section 108.3 in its entirety.

~~Section 109.4 insert: misdemeanor, \$500.00, 90.~~

Amend Section 109.4 as follows:

Section 109.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor.

punishable by a fine of not more than \$500.00 or by imprisonment not exceeding 90 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 2. That this Ordinance shall be in full force and effect from and after the date of its passage and approval.

Duly read two (2) times and passed this ___ day of _____, 2015.

Mayor Jeff Davis

Approved this ___ day of _____, 2015.

Mayor Jeff Davis

ATTEST:

Patricia A. Ledford, City Clerk

APPROVED AS TO FORM:

City Attorney

STATE OF MISSOURI)
CITY OF BELTON) SS.
COUNTY OF CASS)

I, Patricia A. Ledford, City Clerk, do hereby certify that I have been duly appointed City Clerk of the City of Belton and that the foregoing ordinance was regularly introduced for first reading at a meeting of the City Council held on the ___ day of _____, 2015, and thereafter adopted as Ordinance No. 2015-_____ of the City of Belton, Missouri, as a regular meeting of the City Council held on the ___ day of _____, 2015, after the second reading thereof by the following vote, to-wit:

AYES:0 COUNCILMEN:
NOES:0 COUNCILMEN:
ABSENT: 0 COUNCILMEN:

Patricia A. Ledford, City Clerk

ROW Vacation on Fifth St between Ella/Scott.



**CITY OF BELTON
PLANNING COMMISSION INFORMATION
FORM**

AGENDA DATE: April 20, 2015

DIVISION: Community & Economic Development

PLANNING COMMISSION: **Regular Meeting**

ISSUE/RECOMMENDATION:

A request to vacate a portion of right-of-way and City owned property has been made by a property owner and supported by a City council member. The property owner's address is 912 Ella Street. This address is adjacent to a dead-end reach of 5th Street (currently right-of-way) that functions exclusively as a driveway and/or parking for 912 Ella. In accordance with UDC Section 36-113 C-B Vacating Easement and Right of Way. This item was presented before the City Council on March 17, 2015 and referred to the Planning Commission.

In addition, a grassy island enclosed by South Scott, 5th St. and Ella is currently owned by the City as real property and is requested to be vacated to the property owner at 912 Ella. The property owner at 912 Ella Street has maintained the grassy island for several years.

PROPOSED PLANNING COMMISSION MOTION:

Recommend the vacation of Right of Way generally located at 5th street and Ella constant with the legal description and recommend this item be brought before the City Council for review and approval of the proposed Ordinance.

STAFF RECOMMENDATION:

Staff does recommend that a permanent access easement be included for lots 12, 13, 14 and 15 to ensure access. This access easement will be recorded within the legal description of the disposition of surplus property.

LIST OF REFERENCE DOCUMENTS ATTACHED:

Citizens Request
Legal description of property
Exhibit depicting parcels

April 2, 2015

To whom it may concern:

I am writing in reference to the small empty ground on the corner of Ella Street and Scott Street in Belton, MO. I have maintained this lot that is across from my home for well over a decade which included keeping it free of litter as well as mowing and trimming the grass for over 14 years and in doing so I have saved the city \$23,520.00. If the city were to have to contract the maintenance of the lot at an average of \$30 per week x twice weekly that equates to \$240 a month. By spending \$240 a month over 14 years that equals \$23,520.00 saved by my caring for this ground.

I have approached the Belton Parks Department in the past to perhaps put in a horseshoe pit to make the lot more inviting to visitors, but was turned down in fear that a horseshoe might go out in the street and someone might be injured by a car. I also had asked if they might want to put some flowers around the existing pole similar to the ones that were planted on the roundabouts. Again, I was turned down stating that "they already had too much to do".

I have spoken to Gary Laythrop on numerous occasions regarding my ideas for the land, however, he would always refer me to the Parks Department. I would like for this land to be a beautiful spot that when visiting schools pass by, it would be an inviting spot on their way in to our town and our schools. If the land were to be passed to me, I would like to fly both the American Flag as well as the City of Belton Flag on the existing pole. My mother would like to have some knock-out Roses planted around that pole which will make that ground very attractive.

I hope you will seriously consider my proposal as I have already invested a great deal of time and money maintaining this land and will continue to improve the appearance once this land is mine.

Thank you for your consideration and I look forward to hearing from you soon,

Roy Light

A handwritten signature in cursive script that reads "Roy Light". The signature is written in black ink and is positioned below the typed name.

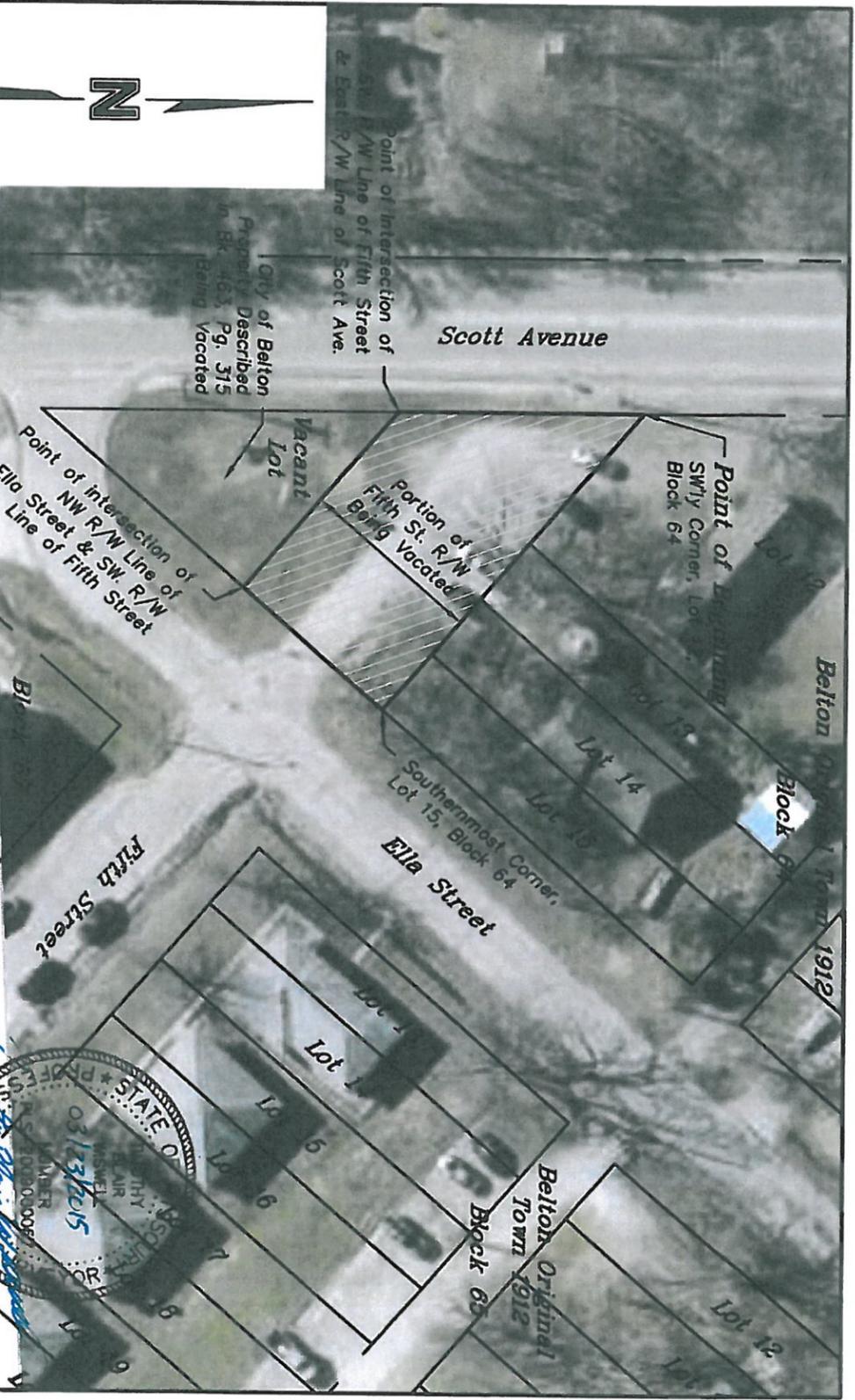
File No.: 011-2036
Partial Right-of-Way Vacation
March 23, 2015

Partial Right-of-Way Vacation Description:

All that part of Fifth Street Right-of-Way, as depicted on Belton Original Town 1912, a subdivision in the City of Belton, Cass County, Missouri, recorded in Book 1912 at Pages 5 & 6, and being more particularly described as follows:

BEGINNING at the Southwesterly corner of Lot 12, Block 64 of said Belton Original Town 1912, said point also being the point of intersection of the Northeasterly Right-of-Way line of Fifth Street and the East Right-of-Way line of Scott Avenue, as both were established in said Belton Original Town 1912; thence Southeasterly, along the Northeasterly Right-of-Way line of said Fifth Street, and along the Southwesterly line of said Block 64, to the Southernmost corner of said Block 64, said point also being the Southernmost corner of Lot 15, Block 64 of said Belton Original Town 1912, said point also being the point of intersection of the Northeasterly Right-of-Way line of said Fifth Street and the Northwesterly Right-of-Way line of Ella Street, as established in said Belton Original Town 1912; thence Southwesterly, along the Northwesterly Right-of-Way line of said Ella Street, to the point of intersection of the Northwesterly Right-of-Way line of said Ella Street and the Southwesterly Right-of-Way line of said Fifth Street; thence Northwesterly, along the Southwesterly Right-of-Way line of said Fifth Street, to the point of intersection of the Southwesterly Right-of-Way line of said Fifth Street and the East Right-of-Way line of said Scott Avenue; thence North, along the East Right-of-Way line of said Scott Avenue, to the POINT OF BEGINNING.





NOT TO SCALE

PROJECT NO: 011-2036
 DRAWN BY: TLF
 DATE: 03/23/15

Right-of-Way
 Vacation Exhibit

MOLSSON
 ASSOCIATES

7301 West 133rd Street
 Suite 200
 Overland Park, KS 66213-4750
 TEL 913.381.1170
 FAX 913.381.1174

EXHIBIT
 4



Heartland Dental Final Development Site Plan.



FINAL DEVELOPMENT PLAN
HEARTLAND DENTAL

PLANNING COMMISSION
MONDAY, APRIL 20, 2015 –7:00 P.M.
CITY HALL ANNEX, 520 MAIN STREET

Assigned staff: Robert G. Cooper, City Planner

CASE #FDP15-05

Consideration of Final Development Plan approval, for Heartland Dental, a 6,000-sq. ft. mixed-use commercial building, with a drive-thru restaurant, anchored by a dental office, on Lot 2 of the Belton Gateway Addition, a 1.39-acre tract of land, addressed as 630-634 W. Markey Parkway.

PROPOSED PROJECT DEVELOPMENT

Current Zoning: C-2 (General Commercial) District.

Property Description: Belton Gateway Addition, Lot 2

Size of Site: 60,548-sq. ft. / 1.39-acre(s)

Surrounding Zoning / Use:

West: C-2 /General Commercial – undeveloped

East: C-2 /General Commercial – Academy Sports+Outdoors store

North: C-2 /General Commercial – undeveloped

South: C-2 /General Commercial – undeveloped



REVIEW

The developer has submitted site and civil plans for this project. Staff has reviewed the following key elements of the site plan:

Site Dimensions: 60,548-sq. ft. or 1.39-acre(s).

Intended Use: Commercial / Dental office (3,206-SF) with adjoining drive-thru restaurant (2,419-SF).

Future Land Use Map: The subject site is located within the city’s primary commercial/retail corridor.

Height & Dimension of Building: The proposed building will be 6,000-sq. ft. with a maximum building height of 22-feet.

Conceptual Elevation: The general appearance of the building will be a brick combination with native stone veneer and ground face masonry.

Screening: HVAC units will be roof-mounted and screened from public view.

Driveway: The site will be part of the Belton Gateway Development, which is a combination of multiple interconnecting parking lots. The primary access into the site will be from Markey Parkway, immediately north and east of the Markey Parkway / 163rd Street traffic signal.

Parking: The parking ratio for this project is 1:300-sq. ft. (gfl), which equates to no less than 20-parking stalls. The site will provide for 57 parking spaces which include three (3) handicap spaces.

Signage: Pursuant to City code, wall mounted and monument type signs are an acceptable form of signage in a C-2 (General Commercial) zoning district.

Landscaping: Pursuant to the Landscape Ordinance, the site will be irrigated and landscaped with multiple native plantings, shrubs and sod.

Lot Coverage: Pursuant to Section 40 of the Unified Development Code, no more than 40% of the lot can be coverage by structures. This development site as proposed has a lot coverage of 10.1%.

FINAL DEVELOPEMNT PLAN

Staff recommends **APPROVAL** of application FDP15-05 of the final development plan with the following condition(s):

Departmental Comment(s):

Planning

1. Provide details on the type and intensity for all outside lighting fixtures for the building;
2. Provide details on the trash enclosure; eg: design and color;
3. Provide details on all proposed signage.
4. Provide details on landscaping irrigation system, including a back-flow preventer;
5. Add the following notation to the LS plan, Sheet L1: 'all disturbed land areas shall be sodded unless otherwise approved for seeding by the Planning Commission';
6. Provide a landscape escrow in the form of cash or irrevocable letter of credit in the amount of 25 percent (25%) of estimated cost;
7. All proposed landscaping shall be installed prior to the issuance of the final certificate of occupancy.

Engineering – The City of Belton Engineering Division has reviewed the final development plan. These comments are based upon the current APWA (American Public Works Association), standards, city ordinances and subdivision regulations.

General

1. All improvements to public infrastructure shall be designed and constructed in accordance with the City of Belton Design and Construction Manual.
2. Additional review comments will be provided during civil construction set review.
3. Update Utility Contact information under General Notes.

Streets and Sidewalk

4. Remove proposed sidewalk from 163rd Street into Lot 2. Sidewalk could be provided along Gateway entrance driveway at 163rd Street.

Stormwater

5. This project is eligible for participation in the Markey Regional Detention program. An application for payment in lieu of constructing detention and an agreement between Heartland Dental and the City will need to be submitted. The agreement will need to be approved by City Council. The fee for participation is \$5,100 per additional impervious acre. This is an optional program in lieu of providing on-site detention.
6. Stormwater Best Management Practices (BMPs) are required to be provided on site in compliance with the latest version of the MARC/APWA BMP Manual. Incorporate additional BMPs to Landscape plan where necessary.
7. Provide a minimum of one-foot freeboard above the 1% storm stage, at any point along the drainage system, for openings in the building.

8. A stormwater study addressing the above requirements including analysis of the proposed on-site storm sewer system and on-site drainage paths is required.

Sediment and Erosion Control.

9. State of Missouri and City of Belton Greater than 1 Acre Land Disturbance Permits are required before any land disturbance activities begin. Sediment and erosion control construction plans must be reviewed and approved before issuance of the City LDP permit and before any grading work begins.
10. Erosion Control Notes on Sheet C0 should specify Belton. Remove notes to MoDOT or any other jurisdiction. Incorporate City standard erosion control details and notes.
11. Contractor shall submit completed erosion control inspection forms weekly and after ½" rain events.
12. Hay bales are not an approved erosion control method.
13. Per City ordinance if construction cost of sediment and erosion control exceeds \$2,500 a performance bond is required.

Drinking Water

14. See comments from Fire Department regarding fire hydrant requirements.
15. Two taps are required rather than one so that maintenance of one service line does not interrupt service to second building. Recommend 2" tap on service line with irrigation service, and 1" tap on other service line.
16. Taps up to and including 2" are performed by the City's Water Services Division. Wet taps are not allowed.
17. Double check backflow prevention devices in outside pits are required per City standard details.
18. Meter service pit assembly and lid are also required per City standard details.
19. RPZ backflow preventer(s) may be required inside the building if a high hazard use is proposed.

Sanitary Sewer

20. Connections to public sewer to be made in compliance with standard detail SAN-008.
21. Public sewer is 8" in diameter and not 10".

Fees

22. 3% Engineering review and inspection fee is required. For this project this fee applies to on-site storm sewer, stormwater BMPs and sediment and erosion control measures.
23. Street impact, water impact, water tap and sanitary impact fee will be required. Refer to development fee schedule for detailed information.

Building Inspections –

8. All construction must meet 2012 International Code. Comments on Sheet C.0 of the development plan must meet these codes.

Fire Department –

- Current hydrant locations don't meet requirements. Please review code and provide adequate hydrant spacing.
- I have attached a spec sheet for the turning radius of Belton's largest apparatus. Please confirm that you meet or exceed these requirements.
- Before final acceptance an updated set of stamped plans needs to be submitted.

PLANNING COMMISSION ACTION

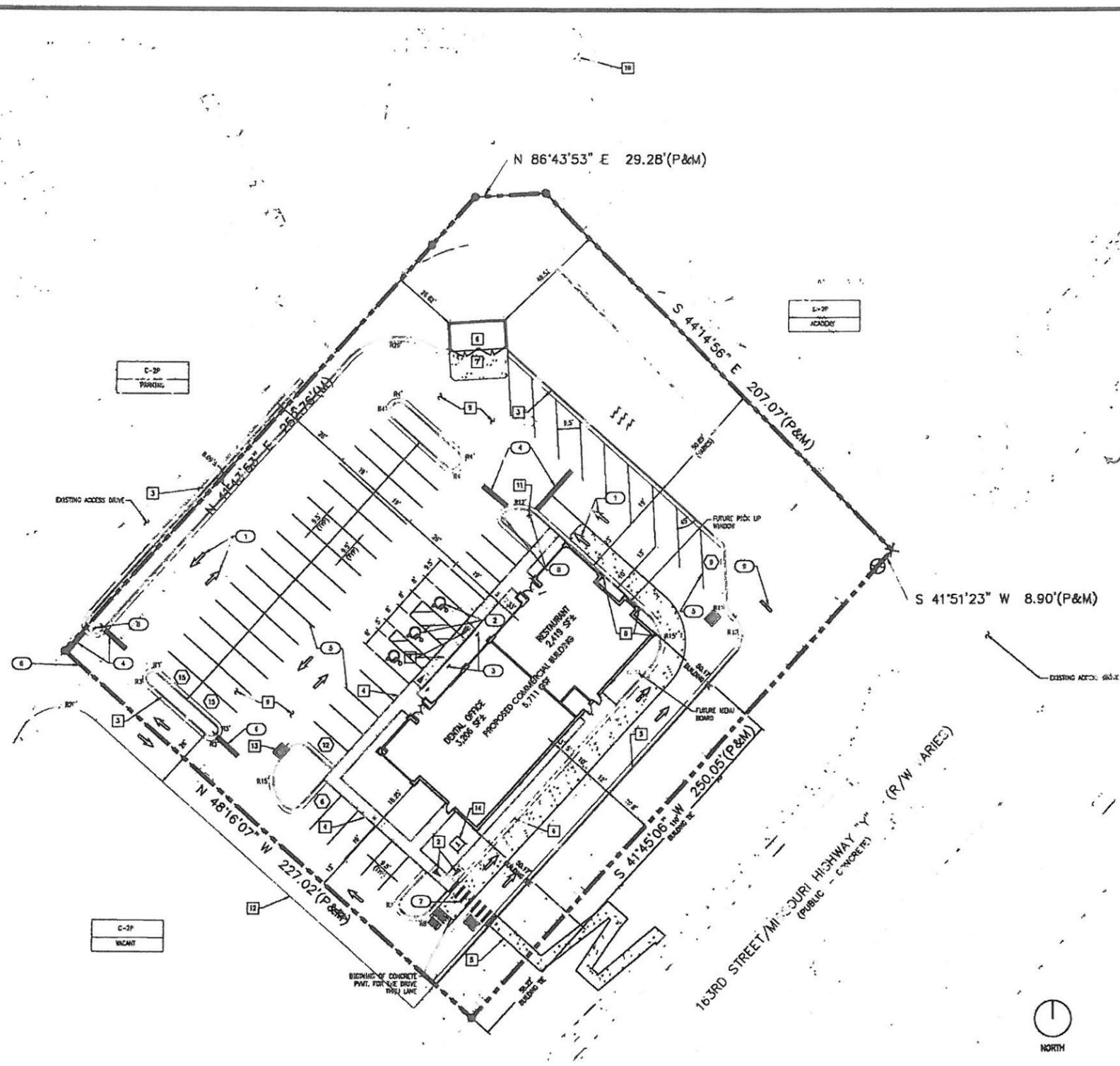
1. Motion to recommend approval of the Final Development Plan for 'Heartland Dental', a commercial development, on a 1.39-acre tract of land, located at the NE corner of the 163rd Street and Markey Parkway intersection.
2. Motion to recommend denial of the Final Development Plan for 'Heartland Dental', a commercial development, on a 1.39-acre tract of land, located at the NE corner of the 163rd Street and Markey Parkway intersection.
3. Motion to continue the case pending additional information.

ATTACHMENTS

1. Final Development Plan
2. Building Elevation(s)
3. Landscape Plan

SITE DIMENSION PLAN

1"=20'



TRAFFIC CONTROL & SIGNAGE

- 1 DIRECTIONAL ARROW
- 2 HANDICAP PAVEMENT SYMBOLS
- 3 MISC. CAP SIGN
- 4 24" WIDE WHITE STOP BAR (TYP.)
- 5 FOLIANT STRIPING (4" WHITE) (TYP.)
- 6 4" DOUBLE YELLOW LINE
- 7 24" WIDE WHITE CROSSWALK STRIPING
- 8 30" STOP SIGN (R-1)
- 9 MOVABLE SIGNAGE

- ALL TRAFFIC CONTROL SIGNAGE SHALL CONFORM TO "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" BY THE U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION.
 - WORK DONE WITHIN 183 FEET/1 HIGHWAY "R" R.O.W. SUBJECT TO M.D.O.T. REVIEW AND APPROVAL.

SITE NOTES

- 1 HANDICAP RAMP
- 2 SIDEWALK RAMP
- 3 CONCRETE CURB AND GUTTER
- 4 MONOLITHIC CURB AND SIDEWALK
- 5 CONCRETE SIDEWALK
- 6 DUMPSTER ENCLOSURE
- 7 CONCRETE APRON
- 8 BOLLARD
- 9 ASPHALT PAVEMENT
- 10 EXISTING FIRE HYDRANT
- 11 "DO NOT ENTER" SIGN (RS-1)
- 12 EDGE OF PAVEMENT
- 13 DRAINAGE STRUCTURES
- 14 TRANSFORMER PAD
- 15 LIGHT POLE

REFER TO SHEET C0 FOR GENERAL NOTES, SPECIFICATIONS AND LEGENDS. IN ADDITION TO SITE-SPECIFIC NOTES AND REQUIREMENTS.

DAVID BOYCE
ARCHITECT

604 COURTLAND STREET
SUITE 100
ORLANDO, FL 32804
PH 407.841.8026
FX 407.899.1124

SEAL

STUART ANDERSON, P.E.
NO. REG. / FE-261580001

CONSULTANT

BY: [Signature]
DATE: 3-15-15

HEARTLAND
DENTAL
MIYU
ISLION MO

PROJECT NO: 2011-0042
DATE: 3-15-15

C1
SITE PLAN

CHECKED: CDS DRW: H. JKH

SEAL:

CONSULTANT:

03/12/15 TO HEARTLAND

NO DATE REMARKS
REVISIONS

HEARTLAND
DENTAL
HWY Y
BELTON MO

PROJECT NO: 2015.0042
DATE: 03/12/15

3D

CHECKED: DRAWN:



① 3D View 1



② 3D View 2



③ 3D View 3

SEAL:

CONSULTANT:

03/12/15 TO HEARTLAND

NO DATE REMARKS
REVISIONS

**HEARTLAND
DENTAL**
HWY
BELTON MO

PROJECT NO: 2015.0042
DATE: 03/12/15

ELEV

CHECKED: DRAWN:

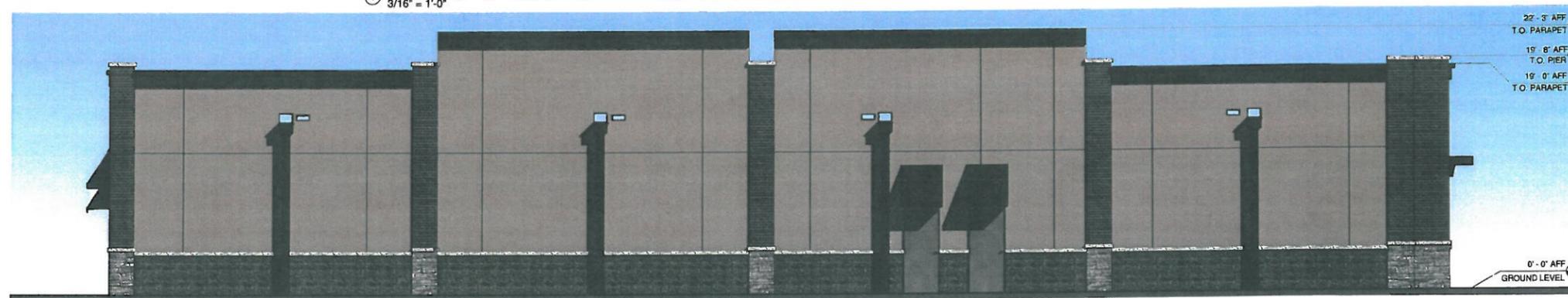


③ NORTH ELEVATION
3/16" = 1'-0"

KIRCHNER WALNUT 2



① WEST ELEVATION
3/16" = 1'-0"

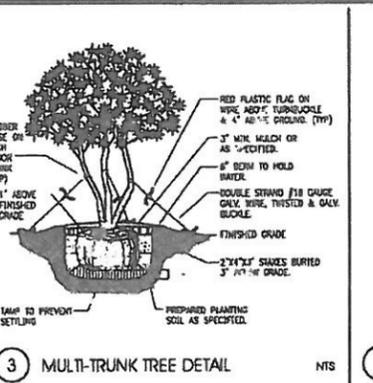
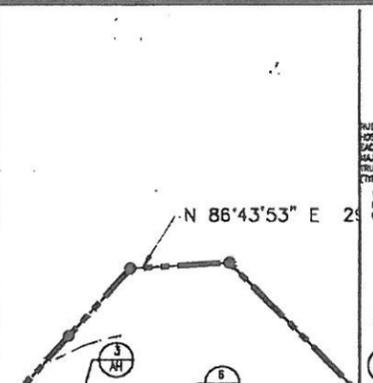
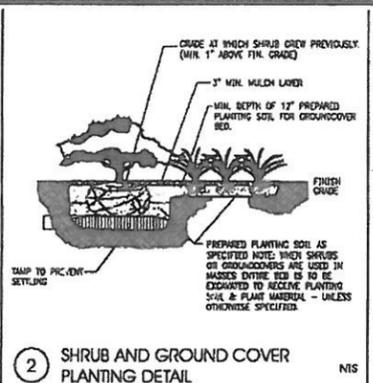
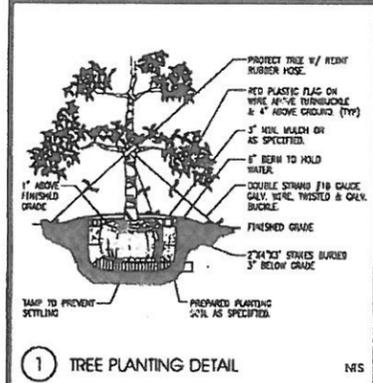
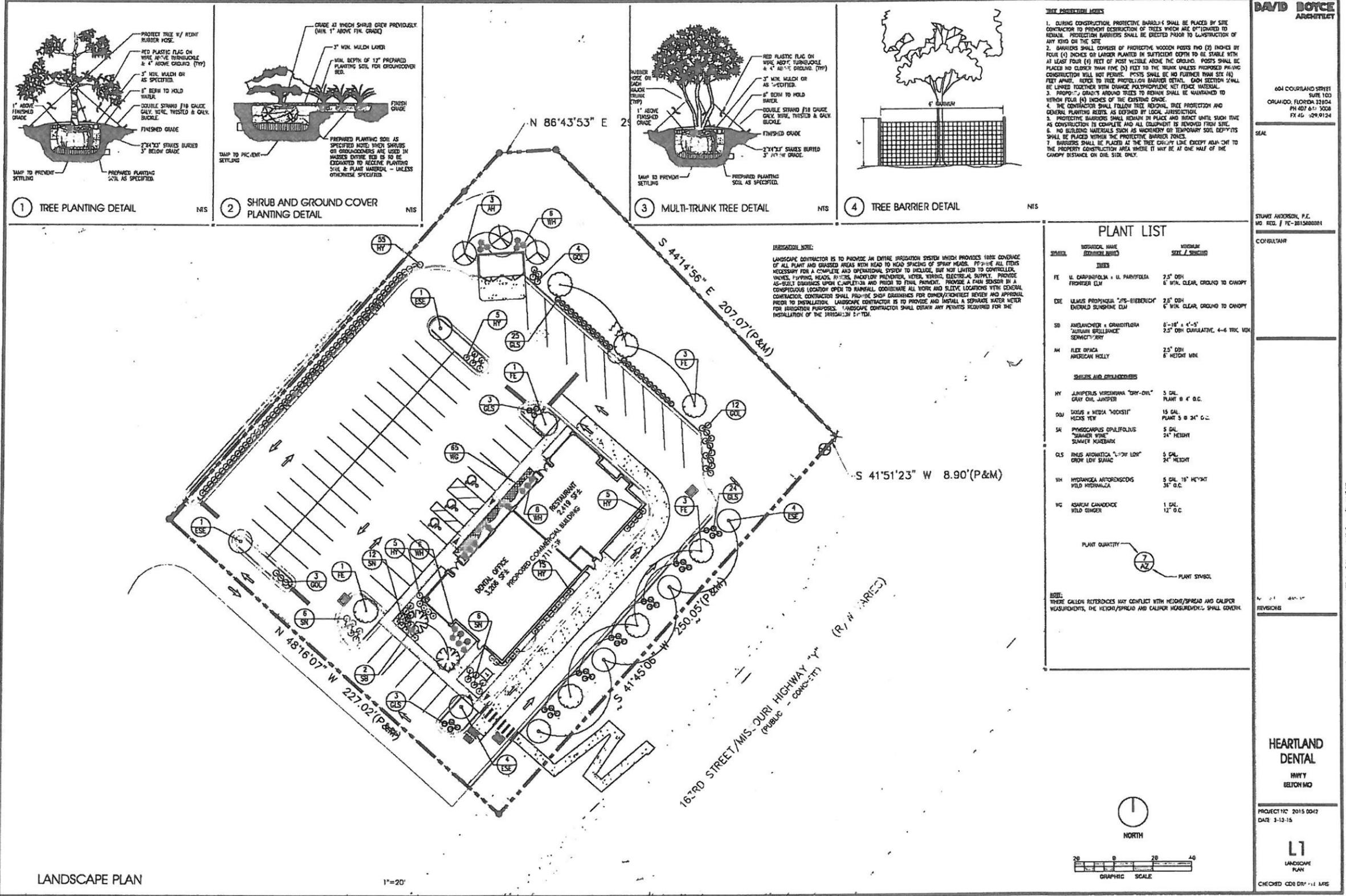


② SOUTH ELEVATION
3/16" = 1'-0"



④ EAST ELEVATION
3/16" = 1'-0"

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TREE PROTECTION NOTES

1. DURING CONSTRUCTION PROTECTIVE BARRIERS SHALL BE PLACED BY SITE CONTRACTOR TO PREVENT DESTRUCTION OF TREES WHICH ARE DEDICATED TO REMAIN. PROTECTIVE BARRIERS SHALL BE ERECTED PRIOR TO CONSTRUCTION OF ANY KIND ON THE SITE.
2. BARRIERS SHALL CONSIST OF PROTECTIVE WOODEN POSTS TWO (2) INCHES BY FOUR (4) INCHES OR LARGER PLANTED IN SUFFICIENT DEPTH TO BE STABLE WITH AT LEAST FOUR (4) FEET OF POST VISIBLE ABOVE THE GROUND. POSTS SHALL BE PLACED NO CLOSER THAN FIVE (5) FEET TO THE TRUNK UNLESS PROPOSED CONSTRUCTION WILL NOT PENETRATE. POSTS SHALL BE NO FURTHER THAN SIX (6) FEET APART. REFER TO TREE PROTECTION BARRIER DETAIL. EACH SECTION SHALL BE LINED TOGETHER WITH DENSE POLYPROPYLENE NET FENCE MATERIAL.
3. PROPOSED GRADES AROUND TREES TO REMAIN SHALL BE MAINTAINED TO WITHIN FOUR (4) INCHES OF THE EXISTING GRADE.
4. THE CONTRACTOR SHALL FOLLOW TREE REMOVAL, TREE PROTECTION AND GENERAL PLANTING NOTES AS DEFINED BY LOCAL JURISDICTION.
5. PROTECTIVE BARRIERS SHALL REMAIN IN PLACE AND INTACT UNTIL SUCH TIME AS CONSTRUCTION IS COMPLETE AND ALL EQUIPMENT IS REMOVED FROM SITE.
6. NO BUILDING MATERIALS SUCH AS MACHINERY OR TEMPORARY SOIL DEPOSIT SHALL BE PLACED WITHIN THE PROTECTIVE BARRIER ZONES.
7. BARRIERS SHALL BE PLACED AT THE TREE CANOPY LINE EXCEPT WHERE THE PROPERTY CONSTRUCTION AREA WOULD IT MAY BE AT ONE HALF OF THE CANOPY DISTANCE ON ONE SIDE ONLY.

PLANT LIST

SYMBOL	NATURAL NAME (COMMON NAME)	MEDIUM SIZE / SPACING
FE	U. CARPINIFOLIA + U. PARVIFLORA FRONTIER Elm	2.5' DBH 6' MIN. CLEAR, GROUND TO CANOPY
DE	ULMUS PROPINQUA "JFS-BIERBERICH" EMERALD SUNSHINE Elm	2.5' DBH 6' MIN. CLEAR, GROUND TO CANOPY
SB	AMELANCHIER + GRACILOFLORA "AUTUMN SENSILLANCE" SERVETZ/87Y	6'-18" x 4'-5" 2.5' DBH CURVATURE, 4-6 TRC. MIN.
AH	ILEX OPACA AMERICAN HOLLY	2.5' DBH 6' HEIGHT MIN.
SHRUBS AND GROUNDCOVERS		
HY	JUNIPERUS VERGINIANA "DRY-OIL" GRAY OIL JUNKIE	5 GAL PLANT @ 4' O.C.
OU	TAXUS + MEDIA "MOCKST" HECKS YEW	15 GAL PLANT @ 24" O.C.
SH	PHYSCALOPUS OPULIFOLIUS "SUMMER WINE" SUMMER ROSEBARK	5 GAL 24" HEIGHT
GL	PHILUS AROMATICA "L-107Y LOW" GROW LOW SUMAC	5 GAL 24" HEIGHT
WH	HYDRANGEA ANTIORGENSCENS WILD HYDRANGEA	5 GAL 18" HGT 36" O.C.
WG	ASARUM CANADENSE WILD GINGER	1 GAL 12" O.C.
PLANT QUANTITY: 7 AZ		
PLANT SYMBOL		
NOTE: THERE CALLS REFERENCES MAY CONFLICT WITH HEIGHT/SPREAD AND CALIPER MEASUREMENTS, THE HEIGHT/SPREAD AND CALIPER MEASUREMENTS SHALL GOVERN.		

DAVID BOYCE ARCHITECT

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SEAL

STUART ANDERSON, P.E.
NO. REG. / FE-2015400001

CONSULTANT

HEARTLAND DENTAL
HWY
BELTON MO

PROJECT NO: 2015 0042
DATE: 3-13-15

L1
LANDSCAPE PLAN

CHECKED: CDR DRP / J.L. MRS

LANDSCAPE PLAN

1"=20'

