



**AGENDA
CITY OF BELTON
PLANNING COMMISSION
MEETING & PUBLIC HEARING
MONDAY, AUGUST 3, 2015 - 7:00 P.M.
CITY HALL ANNEX, 520 MAIN STREET**

- I. CALL MEETING TO ORDER**
- II. ROLL CALL**
- III. ELECTION OF OFFICERS**
- IV. APPROVAL OF THE MINUTES OF THE JULY 20, 2015 PLANNING COMMISSION MEETING**
- V. PUBLIC HEARING**
 - A. Consideration for a Special Use permit for LED signage at 17327 S. Outer Road.
 - B. Consideration for a Special Use permit for a seasonal concession stand at 200 B Street.
- VI. CONSIDERATION**
 - A. Consideration of a change in meeting time for the Planning Commission.
- VII. DIRECTOR'S REPORT**
 - A. Establishment of meeting schedule for future land use project review.
- VIII. NEXT MEETING DATE: AUGUST 17, 2015**
- IX. ADJOURNMENT**

MEETING MINUTES

JULY 20, 2015

Minutes of Meeting
Belton Planning Commission
City Hall Annex, 520 Main Street
July 20, 2015

CALL TO ORDER

Vice Chairman Chris Christensen called the meeting to order at 7:00 p.m.

ATTENDANCE

Commission: Vice Chairman Chris Christensen, Commissioners Ryan Finn, Larry Thompson, Councilman Tim Savage and Mayor Jeff Davis.

Staff: Jay Leipzig, Community & Economic Director, Robert Cooper, City Planner, Jennifer Dutcher, Community Development Secretary, Jeff Fisher, Public Works Director.

Absent: Chairman Holly Girgin, Commissioners Sally Davila, Tim McDonough, and Chuck Crate.

MINUTES

Commissioner Thompson moved to approve the minutes of the July 6, 2015 Planning Commission meeting. Commissioner Finn seconded the motion. All members present voted in favor and the motion carried.

DISCUSSION

Mr. Cooper presented the staff report for the consideration of a zone change from R-1 (Single-Family Residential) District to R-3 (Multi-Family Residential) District for a 1.00-acre tract of land, addressed as 600 Minnie Avenue. The development has been owned by the Tutura Group since 2006, owning a minority share until 2010 then assumed full ownership and management control over the development. At the present time, Tutura plans to build and manage a 60-bed facility immediately west of the current development. This allows for additional services to the elderly and the population segment needing physical rehabilitation and other services. In addition, the new facility will need additional staff, most being skilled workers, providing job opportunities within the community. This area consists of a mixture of zoning classifications. The predominate zoning along 58-Highway is C-2 (General Commercial), while the zoning along and south of Minnie Avenue is primarily R-1 (Single-Family Residential) with higher density R-2 and R-3 located on the west side of Cedar (Y-Highway) and south of E. North Avenue. The characteristics and predominate land use in the immediate area is commercial/retail with store frontage along 58-Highway. However, the interior properties just south of the commercial corridor are residential in characteristic and design. The city's future land-use map designates this area as multi-family mixed use zoning. The rezoning to multi-family would be consistent with the City's Future Land Use Map and future plans for this area of the city. The proposed zone change to R-3 (Multi-Family Residential) for the one-acre parcel would be consistent with the existing zoning of the entire tract of Carnegie Village. In addition, the change to multi-family residential zoning would serve as a buffer between the commercial uses along E. North Avenue and the single-family houses south of Minnie Avenue. This zoning buffer approach is consistent with national planning standards and is a common planning practice. The rezoning of the property to multi-family as proposed does not appear to pose an increase in environmental impacts than what is currently found within the existing R-3 multi-family zoned area of Carnegie Village. The zone change will not have an adverse impact on the surrounding properties due to similar zoning and uses in the immediate area.

Vice Chairman Christensen opened the public hearing at 7:04 p.m. for anyone to speak for or against the rezoning application. Leo Harris with Tutura Group addressed the Commission indicating the newest addition will be 50 units, housing 60 beds pending the approval of the plans and financing. The addition will be a skilled nursing facility as a continuum of care with approximately 52,000 square feet. He continued to say they wish to begin work by November.

Commissioner Sally Davila arrived at the meeting at 7:06 p.m.

Councilman Savage questioned the status of the house that is currently sitting on corner of the land in question. Mr. Cooper indicated the house will be totally demolished. With no one else present to speak for or against the item, Vice Chairman Christensen closed the Public Hearing at 7:09 p.m. Mr. Savage stated he supports the rezoning as everything seems to be a right fit for that location.

Mayor Davis moved to approve, the zone change from R-1 (Single-Family Residential) District to R-3 (Multi-Family Residential) seconded by Councilman Savage.

When a vote was taken, the following was recorded, **Ayes: 6** – Vice Chairman Chris Christensen, Commissioners Ryan Finn, Larry Thompson, Sally Davila, Councilman Tim Savage and Mayor Jeff Davis.

Absent: 3 – Chairman Holly Girgin, Commissioners Tim McDonough and Chuck Crate.
The motion carried.

Mr. Leipzig acknowledged a request to allow a home childcare business on behalf of the applicants, Zakariah and Courtney Berislavich residents of 311 Manor Drive. Mr. Cooper presented the staff report for the request of a Special Use Permit to allow a home child care business to operate on property zoned R-1 (Single-Family Residential). The proposed use will be for home child care with surrounding zonings of R-1. Pursuant to Section 40-3(6) of the Unified Development Code, 'Day care homes and centers' with more than four (4) children must have a special use permit and must meet the following requirements:

- a. Day care homes and centers must be licensed by and in compliance with all state and local laws governing such facilities;
- b. Any outdoor areas used by the facility as recreational areas must be enclosed by a fence no less than 42-inches in height;
- c. Day care homes and centers must include a designated safe unloading (drop-off) and loading (pick-up) areas for children.

Mr. Cooper stated Manor Drive is a quiet street, the driveway of the property has been added onto, therefore, it will hold 2 additional vehicles as well as the parking spaces in front of the home. Vice Chairman Christensen opened the public hearing at 7:15 p.m. for anyone to speak for or against the Special Use Permit for 311 Manor Drive. Applicants, Zakariah and Courtney Berislavich of 311 Manor Drive were present to answer questions from the Commission. Mr. Savage questioned if Courtney would have a problem for the Commission to indicate no signage on the property and to limit the hours of operation. Mrs. Berislavich indicated she did not have any problems with that request. Mayor Davis questioned the number of children care will be provided for. Mrs. Berislavich indicated she is licensed for 10; however wishes to only have 6. Mayor Davis also brought up the limbs on the side of the house, asking her to have them removed. He also stated he spoke with a few of the neighbors and they had no problem with a childcare business at that location. Mr. Finn questioned if she will be hiring anyone to

help. Mrs. Berislavich stated she will hire an assistant for emergencies only. With no one else present to speak for or against the item, Vice Chairman Christensen closed the Public Hearing at 7:19 p.m.

Councilman Savage moved to approve as amended, the Special Use Permit for 311 Manor Drive indicating no outdoor storage, no signage and hours of operation being 6:30 a.m. – 8 p.m. seconded by Commissioner Thompson.

When a vote was taken, the following was recorded, **Ayes: 6** – Vice Chairman Chris Christensen, Commissioners Ryan Finn, Larry Thompson, Sally Davila, Councilman Tim Savage and Mayor Jeff Davis. **Absent: 3** – Chairman Holly Girgin, Commissioners Tim McDonough and Chuck Crate. The motion carried.

Mr. Leipzig continued with the consideration of a text amendment to the UDC Section 2-1 Enforcement, stating staff has been working with the attorney to clarify language while keeping the same intent. The amendment would provide language for liens and nuisance abatement and any outstanding financial obligations.

Vice Chairman Christensen opened the public hearing at 7:22 p.m. for anyone to speak for or against the text amendment to the UDC Section 2-1 Enforcement. With no one present to speak for or against the amendment, the public hearing was closed at 7:23 p.m. Mr. Savage made note of his support for the amendment however, questioned the wording within the changes. Mr. Leipzig stated this amendment was prepared by Shannon Marcano and will go thru a review process with Aaron March. Mayor Davis questioned if this language will be pertinent to current cases. Mr. Leipzig stated this change will not be grandfathered. Mayor Davis clarified the need to have the ability to deny permits for unsavory characters. Vice Chairman Christensen agreed with Mr. Savage, that the language needs to include some verbiage stating “including but not limited to”. Mr. Savage requested the item have a relook prior to being sent forward with approval. Mr. Leipzig stated staff will be willing to review the verbiage and re-present at a future date.

Councilman Savage moved to postpone to a date uncertain, the text amendment to the UDC Section 2-1 Enforcement, seconded by Commissioner Thompson.

When a vote was taken, the following was recorded, **Ayes: 6** – Vice Chairman Chris Christensen, Commissioners Ryan Finn, Larry Thompson, Sally Davila, Councilman Tim Savage and Mayor Jeff Davis. **Absent: 3** – Chairman Holly Girgin, Commissioners Tim McDonough and Chuck Crate. The motion to postpone to a date uncertain carried.

Mr. Cooper presented the staff report for the Preliminary Plat for Carnegie Village citing it as a 13.4-acre, senior and assisted living facility, located on the south side of 58-Highway, east of Y-Highway, addressed as 107 Bernard Drive. The City’s future land use map identifies this as high density residential, with a senior assisted living facility as a permitted use by-right. Primary access to the facility will continue to be from East North Avenue with additional access points from the south along Minnie Avenue and from the west along Lillard Avenue. The preliminary plat indicates the project involves the realignment of the existing interior roadway system, the creation of new carports, and new parking areas, in addition to the new 60-bed facility. Mr. Cooper made note staff recommends the approval of the preliminary plat; however, the approval by the Planning Commission does not constitute an acceptance of the subdivision, but is merely deemed to be an authorization to proceed with the preparation of the final plat which requires Planning Commission and City Council approval. The approval of the preliminary plat shall be effective for two-years. If the final plat for any part of the area covered by the preliminary plat has not been submitted for approval within this specified period, a preliminary plat must be resubmitted to the

Planning Commission for approval. Discussion of the road conditions were addressed as Mr. Fisher stated Lillard Avenue is in poor condition and the engineering comment stands on having the flat ribbon curb on both streets (Lillard and Minnie). Mr. Savage stated he cannot support having a development pay for all the necessary repairs. Mr. Fisher indicated code requires the repairs, and for asks the Commission to remember the presentation on street conditions, stating the city currently has 8 miles of failed curb, 5 miles of failed sidewalks and 20 miles of poor or failed street segments totaling about 19.6 million dollars' worth of needed improvements that the annual transportation budget cannot support. Mr. Fisher continued to say a new surface not including the curb on Lillard Avenue would cost the developer roughly \$25k at City cost and possibly less in the private sector. Mr. Savage again stated he was not sure about putting that cost onto the backs of the developers. Mayor Davis questioned if this falls under the arterial street impact fees. Mr. Fisher stated they will be charged with the arterial street impact fee but then will not get a credit because it is not an arterial street improvement.

Mayor Davis moved to approve the Preliminary Plat for Carnegie Village, with a second by Commissioner Finn.

When a vote was taken, the following was recorded, **Ayes: 6** – Vice Chairman Chris Christensen, Commissioners Ryan Finn, Larry Thompson, Sally Davila, Councilman Tim Savage and Mayor Jeff Davis.

Absent: 3 – Chairman Holly Girgin, Commissioners Tim McDonough and Chuck Crate. The motion carried.

Mr. Leipzig presented the Directors Report stating the City went thru an extensive hiring process and the new City Attorney will start mid-August. Mr. Leipzig continued on to say the following items will be presented at the next Planning Commission meeting on August 3rd.

- 1.) Special Use Permit for Heart and Hand located on Chestnut.
- 2.) Special Use Permit for a digital sign for Transwest expansion.
- 3.) Election of Planning Commission Officers for the positions of Chairman and Vice Chairman.

Mr. Leipzig stated Texas Roadhouse may be on the August 17th agenda, they are handling some issues with the parcel. Mr. Leipzig requested some feedback as he presented the proposal of earlier meeting times for the Planning Commission. Mr. Leipzig indicated the benefits of a 6 p.m. start time would include shorter work days for staff and applicants, adding the convenience of typical meetings ending around 7 p.m. Mr. Savage stated he is in agreement for staff and respects the purpose however, that time frame will not work for him. Flexibility to the time change was favorably acknowledged by remaining members present at the meeting. Mr. Leipzig stated this will be something to look into again when all members are present; he was just looking for some feedback. The next meeting date will be August 3, 2015.

ADJORNMENT

Commissioner Thompson moved to adjourn the meeting. The motion was seconded by Mayor Davis. All members present voted in favor and the meeting adjourned at 7:46 p.m.

Jennifer Dutcher
Community Development Secretary

Special Use permit for LED signage at 17327 S. Outer Road.



**PLANNING COMMISSION REGULAR MEETING
CITY HALL ANNEX, CITY COUNCIL ROOM
520 MAIN STREET
MONDAY, AUGUST 3, 2015 – 7:00 P.M.**

STAFF: Robert G. Cooper, City Planner

CASE #SUP15-16

Request: Transwest Trucks, Trailers and RV, has requested a Special Use Permit, to allow a new digital monument sign, to be located in a C-2 (General Commercial) district, and addressed as 17327 So. Outer Road.

Location: Located on the east side of Interstate 49, just south of the 58-Highway Interchange. The physical street address is 17327 S. Outer Road.

Property Description: GEP Investments, Lot 1

Owner / Applicant: Transwest Trucks Trailers & RV

Size of Site: 16-acres / 696,960-sq. ft.

Existing Zoning / Land Use: C-2 / Sales & Service –trucks, trailers and RV

Proposed Use: Sales & Service –trucks, trailers, and RV

Surrounding Zoning / Land Use:

North: M-1 / Light Manufacturing

East: City of Raymore

South: City of Raymore

West: M-1 / Light Manufacturing

Comprehensive Plan: Commercial / Industrial



Aerial view of surrounding area

Nature of Current Request

The applicant is asking the Planning Commission to allow monument sign to exceed the maximum height of 6-feet and exceed the maximum size of 32-sq. including a double-sided digital face, to be installed at the main entrance into the facility from the Outer Road.

The proposal is for a monument sign base, elevated to 40-feet in height, with a 21-foot by 16-foot / 336-square foot digital sign face.

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CODE CITATION

Pursuant to Section 30-8 of the Unified Development Code, ‘Sign types are permitted in C-2 zoning district:

- 1. Freestanding (monument) with one (1) tenant occupying a building;
- 2. One (1) per establishment;
- 3. Maximum size: 32-square feet;
- 4. Maximum height: 6-feet;
- 5. Direct or indirect lighting;
- 6. Setback of sign base shall be no less than ten-feet (10’) from the property line; and
- 7. A three-foot landscape ring shall be provided around the sign base.

Pursuant to Section 30-9 of the Unified Development Code, ‘Electronic Message Center signs are permitted subject to review by Special Use Permit.

- 1. Electronic message center signs are not allowed as part of a temporary sign;
- 2. Any portion of the message or image must have a minimum duration on screen of eight (8) seconds. An exception to this requirement is made for a sign that displays time and temperature;
- 3. The change from one message to the next shall not take more than one (1) second and shall not involve flashing or movement of text or image;
- 4. In case of malfunction, the sign shall be defaulted to a blank screen;
- 5. Prior to the issuance of a sign permit, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed 7,000 NITS during daylight hours and 2,500 NITS between dusk and dawn and that the intensity level is protected from end-user manipulation.; and
- 6. The sign shall not display light of such intensity or brilliance to cause glare or otherwise impair the vision of the driver, or result in a nuisance to the driver.

HISTORY

Transwest, Inc., which is headquartered in Commerce City, CO, a manufacturer of high-end trucks, trailers, SUV’s and RV’s has ten full service sales, parts, service and finance locations throughout Colorado with a facility in Kansas City; has been at this 16-acre facility site since

2010. Transwest also sells several heavy commercial trailer product lines at locations in Colorado and Missouri, and sells RV's and horse trailers at a facility in northern Colorado. The company has manufacturing facilities in Kansas City and Colorado that produce a number of specialized truck bodies under its own Summit brand.

SPECIAL USE PROVISION – Some uses of land are not appropriate in all locations within a district or under circumstances where the use imposes an inappropriate impact on the public or neighboring properties and are therefore designated as “special uses”. These uses may be approved at a particular location through the receipt of a special use permit where the impact of those users does not inappropriately affect or impair the use and enjoyment of neighboring properties.

STAFF REPORT

Welfare and Convenience of the Public

The property sits adjacent to Interstate-49 near the 171st Street interchange. Transwest serves as a regional Truck, Trailer and RV service center with highly specialized and trained mechanics which provides a great service to Belton residents and the Kansas City metro area.

Injury to Surrounding Property

The surrounding area is zoned for commercial and industrial use. The projected view of the digital monument sign will be north-south orientation...to be viewed by motorist on Interstate-49 with the projected view of the monument sign to run parallel with the Outer Road.

This property is bordered by Interstate-49 to the west with commercial property to the north along 171st Street.

Domination of the Neighborhood

This property has frontage on the Outer Road, with commercial users and commercially zoned properties, which encompass the adjoining environs. The applicant believes 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 public awareness of the location of the RV facility with effective visibility of Interstate-49.

Currently, there are four (4) existing pole signs, all of which are located within a half-mile radius of the Transwest facility which are at least forty-feet in height. McDonald's restaurant has a 76-foot pole sign; Ad Trend Advertising has two 45-foot billboard signs; and Belton Regional Hospital has a 40-foot pole sign at their facility.

Proposed Use will not detract or encroach upon welfare or convenience of the public

It appears the proposed use will not detract or encroach upon the welfare or convenience of the public. The Transwest sign is designed to enhance good aesthetics and preserve property values by preventing a potentially unsightly and chaotic development that would have a blighting influence upon the community.

The sign structure will be required to meet city code as it relates to design, setback, and landscaping.

STAFF RECOMMENDATION

Staff recommends approval of Special Use Permit 15-23, to allow a digital monument sign for Transwest, as presented.

PLANNING COMMISSION ALTERNATIVES

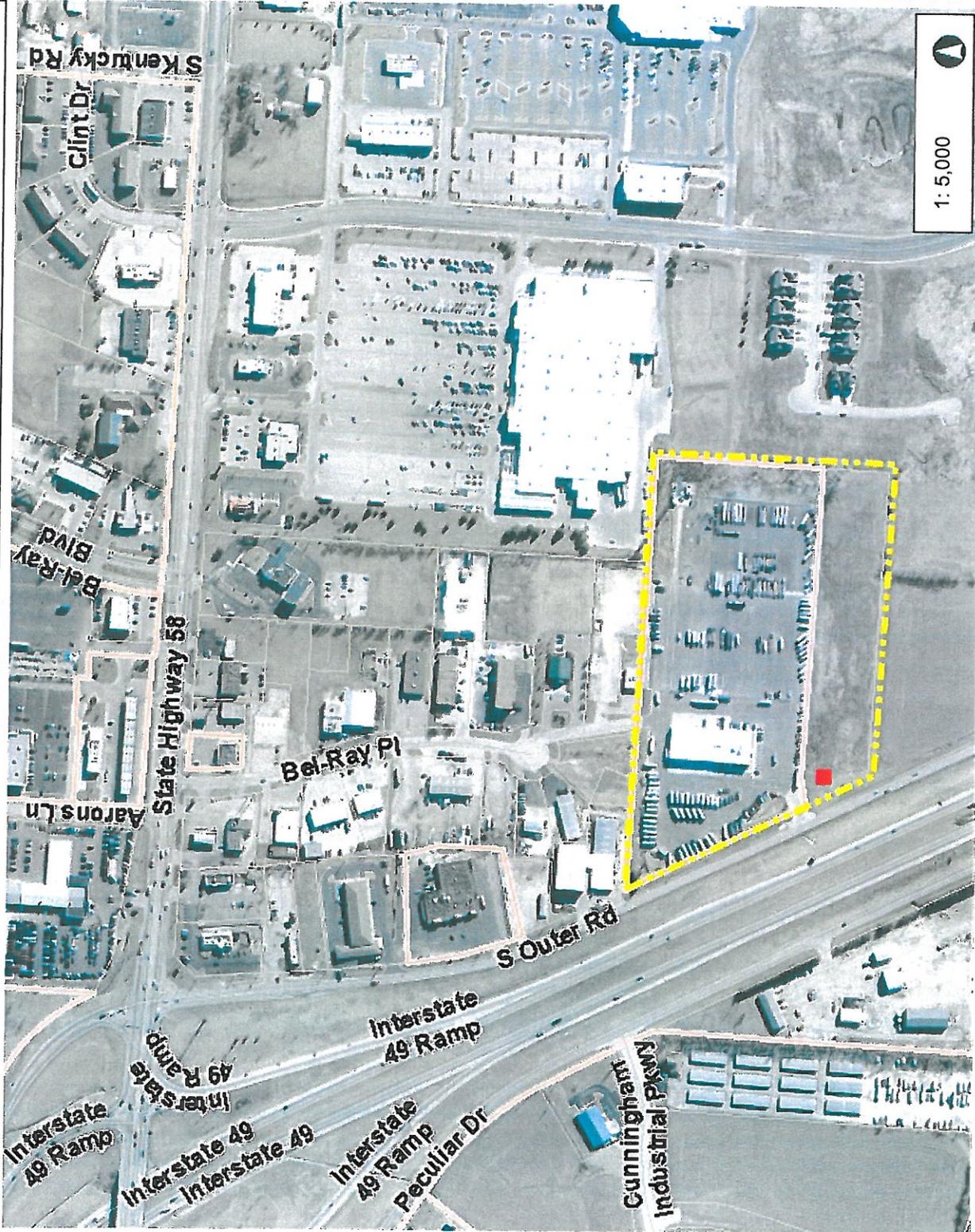
The Planning Commission has the following options available in the consideration of this application:

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) Facility Map
- 2) Sign Elevation
- 3) Site Plan
- 4) Sign Manufacturer Letter
- 5) Sign Location Map

17327 SO. OUTER RD. / TRANSWEST TRUCKS TRAILER



Legend

- Street
- Parcel
- Subdivision
- Parks
- Cemetery
- Building Footprint Basemap
- Parcel Basemap
- Boundary Basemap

Notes

1: 5,000

This map is a user generated static output from an internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

0.2 Miles

0.08

0

0.2

FILE COPY



Westminster, Colorado
(720) 887-3059

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Transwest
173278 South Outer Rd.
Belton, MO 64012

Design #: 8616-01

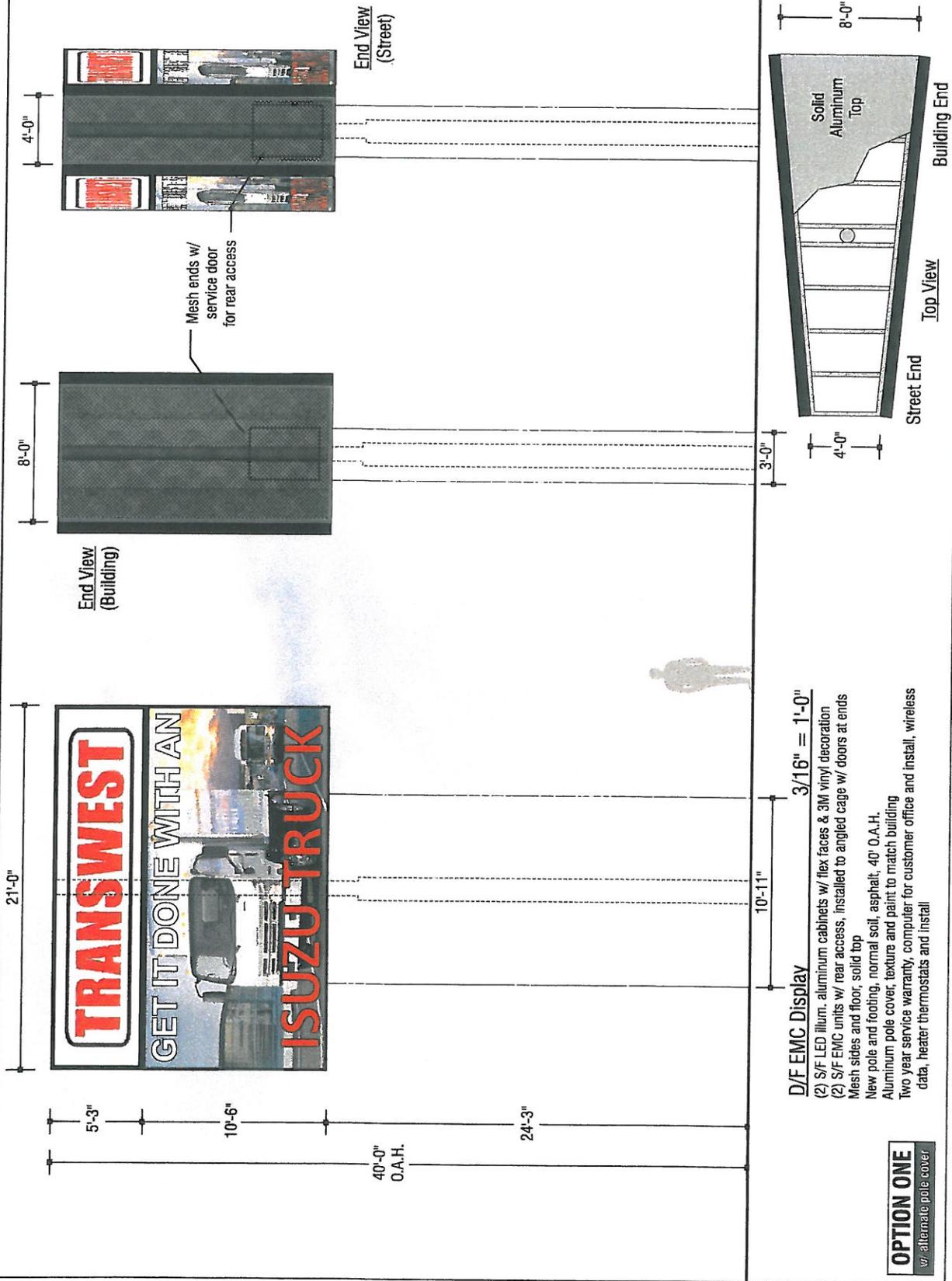
Salesperson: Stephen Hays

Client Approval	Date
Sales Approval	Date
Estimator Approval	Date
Design Approval	
Production Mgr Approval	Date

Revisions / Description:

1	
2	
3	
4	

Sheet 3 of 4



D/F EMC Display 3/16" = 1'-0"
 (2) S/F LED illum. aluminum cabinets w/ flex faces & 3M vinyl decoration
 (2) S/F EMC units w/ rear access, installed to angled cage w/ doors at ends
 Mesh sides and floor, solid top
 New pole and footing, normal soil, asphalt, 40' O.A.H.
 Aluminum pole cover, texture and paint to match building
 Two year service warranty, computer for customer office and install, wireless data, heater thermostats and install

OPTION ONE
w/ alternate pole cover



Westminster, Colorado
(720) 887-3059

These plans are exclusive property of Digital Resolutions and are the result of the original work of our employees. Any disclosure, distribution or exhibition of these plans to anyone to construct a sign similar to the one depicted, or use of any graphics, is expressly prohibited without our prior written authorization. Resolutions shall be reimbursed up to \$5,000 per sheet. EMC messages shown are for design simulation purposes only. Graphics and resolution may vary on actual displays.

2015

Transwest

**173278 South Outer Rd.
 Belton, MO 64012**

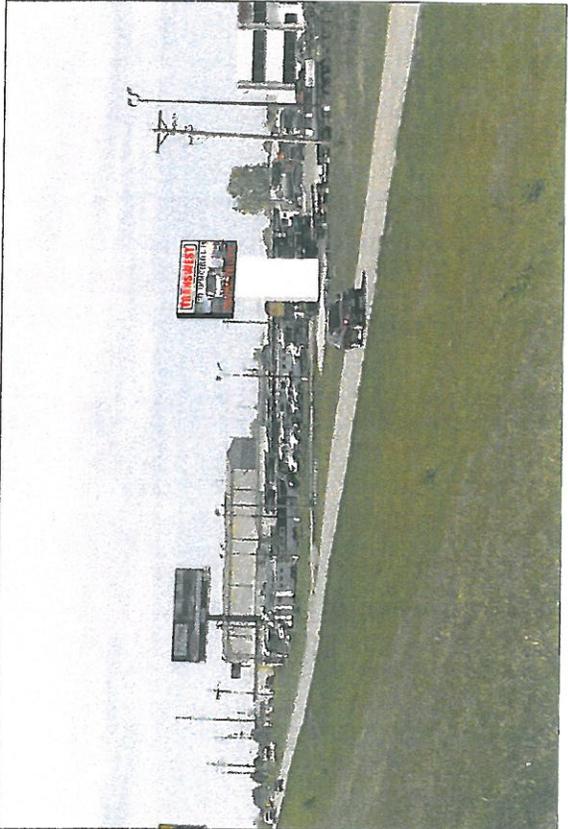
Design #: 8616-01

Salesperson: Stephen Hays

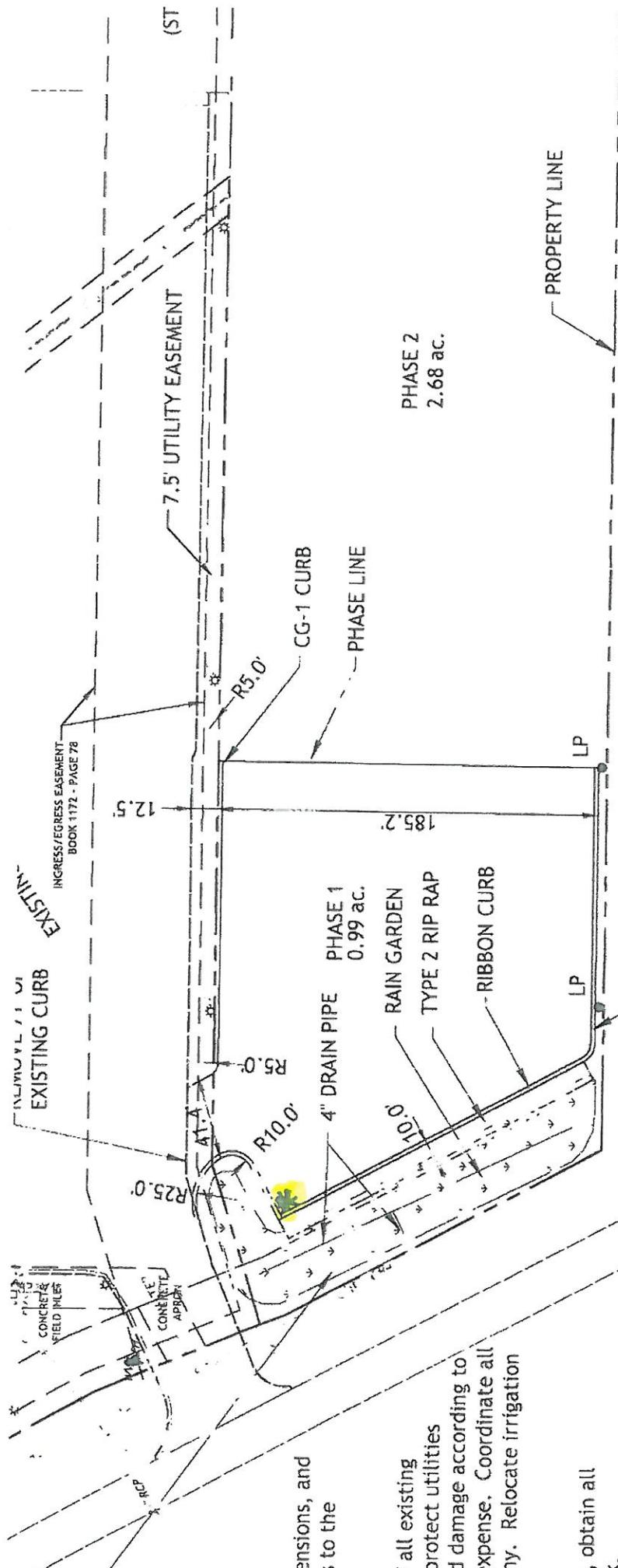
Client Approval	Date
Sales Approval	Date
Estimator Approval	Date
Design Approval	
Production Mgr Approval	Date

Revisions / Description:

1	
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4	



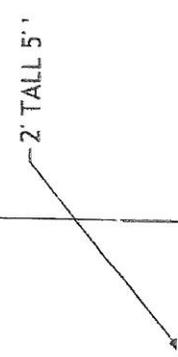
OPTION ONE
 w/ alternate pole cover



ELEV 1072.25

ELEV 1071.25

Proposed sign location is 42' from Harman Dr. PL & 25' from north PL of Phase 1 area.



Dimensions, and as to the of all existing protect utilities ed damage according to expense. Relocate irrigation s, obtain all rk.

avement and new pavement. any. Install all utilities prior *

tain which results from new als at contractor's expense. crete, or to the face of

FILE COPY



QSTECH

APR 13 2015



Digital

April 1st, 2015

To the City of Belton, MO:

Regarding Permit for: Electronic Message Center Sign for Transwest Trucks Trailer & RV
17327 E Outer Rd.

Digital Resolutions is an authorized agent for the manufacturer, QS-Tech and hereby certifies that the light intensity will be factory pre-set not to exceed 7,000 NITS during daylight hours and 2,500 NITS between dusk and dawn and the intensity level is protected from end-user manipulation.

Thank You and Best Regards,

Tim Hays

President
Digital Resolutions



Seasonal concession stands at 200 B Street.



**BELTON MISSOURI - PLANNING COMMISSION
REGULAR MEETING – CITY COUNCIL ROOM
CITY HALL ANNEX, 520 MAIN STREET
MONDAY, AUGUST 3, 2015 – 7:00 P.M.**

STAFF: Robert G. Cooper, City Planner

CASE #SUP15-15

Request: Special Use Permit to allow Heart n Hand Ministries, a faith-based community outreach facility, to operate a seasonal concessions stand, on property zoned C-2 (General Commercial) District.

Location: Located at the southeast corner of B Street & 58-Highway. The physical address is 200 B Street.

Property Description: Original Belton, Lot(s) 6-12, Block 16

Deed Holder / Applicant: Belton Assembly of God Church, Inc. / Rick Dawson, Executive Director of Heart n Hand Ministries.

Size of Site: 133-ft. x 175-ft. (23,275-sq. ft.) / 0.53-acre

Existing Zoning / Land Use: C-2 / Commercial

Proposed Use: Concessions / Snack Food Sales

Surrounding Zoning / Land Use:

North: C-2 / Retail Store, Bank
East: C-2 / Residential Dwelling(s)
South: C-2 / Residential Dwelling(s)
West: C-1 / Sonic Drive-Thru Restaurant

Future Land Use Map: Retail /Commercial

Nature of Current Request

According to the applicant, Rick Dawson, Heart n Hand Ministries would like to operate a seasonal concessions stand selling grilled meat sandwiches at 200 B Street. According to Mr. Dawson, they (Heart n Hand) have decided to utilize the donated concessions stand by serving the public an assortment of grilled meat sandwiches and snack foods. In order to facilitate this service, they also constructed a 30-foot by 20-foot / 600-sq. ft. stand-alone platform, to be used as a place for people to sit and eat. The size of the concessions trailer is approximately 8-ft by 12-ft. / 96-sq. ft.

The concessions trailer will be a seasonal event, operating between April thru October, between the hours of 10:00 A.M. and 3:00 P.M., Monday thru Friday. According to Mr. Dawson, the platform seating area can support up to 30 people, will be handicap accessible, and can accommodate small business / organization events.

History

The subject property at 200 B Street, contains a building approximately 4,000-sq. ft. in size, constructed in 1950 and used as a church. In 1960, a small 2,000-sq. ft. building addition was constructed and used as a retail store.

Currently, the main building is being used as a Thrift Store, which is associated with Heart n Hand Ministries, a not for profit, 501C-3 charitable organization.

SPECIAL USE PROVISION – Some uses of land are not appropriate in all locations within a district or under circumstances where the use imposes an inappropriate impact on the public or neighboring properties and are therefore designated as “special uses”. These uses may be approved at a particular location through the receipt of a special use permit where the impact of those users does not inappropriately affect or impair the use and enjoyment of neighboring properties.

STAFF REPORT

Welfare and Convenience of the Public

Staff believes that by allowing a seasonal food trailer at the proposed location could contribute to the welfare and convenience of the public by providing a service to area residents.

Injury to Surrounding Property

The proposed use could have an adverse affect on the surrounding or abutting properties. Presently, the site experiences a considerable amount of traffic, with a combination of people occupying the thrift store and people dropping off donated household items; eg: furniture, clothing, toys, books, etc. Currently, there is nuisance code violations on site related to donated household items being left outside, outdoor storage of miscellaneous items, etc.

Staff’s concern is that a blighting effect may be created if there is a continued allowance of a somewhat chaotic usage of the property.

Domination of the Neighborhood

Currently, the pre-dominate use in the immediate area is light commercial. The proposed use is adjacent to a vacant lot that normally contributes to the blighting effect which is occurring in sections along the East North Avenue corridor.

Off-Street Parking / Access

The Unified Development Code requires one (1) parking space per 300-sq. ft. of floor area. Based on the total size of the trailer (96-sq. ft.), and the size of the eating/seating area (600-sq. ft.), it appears there will be ample parking.

The site has a driveway approach directly from B Street, which is the primary ingress/egress. There is also access from the alley, located on the back side of the facility.

Some of the original parking spaces have been removed or used for other uses other than parking since Heart n Hand Ministries has relocated to the site. However, there still appears to be an adequate number of off-street parking spaces.

Signage

The event/activity may place temporary signage on site with an approved sign permit.

Cass County Health Department

An inspection and the issuance of a valid health department food handlers / preparations license are required prior to the serving of food to the general public.

Construction / Permitting Concerns

Many, if not all of the supplies, materials, and labor is donated to the Heart n Hand Ministries project. As a charitable organization, city code exempts them from the building permit fee; however, they still are obligated to obtain a building permit. In this case, there are two areas of concern: First, the 8' by 12' concession stand/trailer has running water and electrical service. This service connection to domestic water and electrical service has been done without the review of construction plans by the city building inspector or city inspection. Second, the 30-ft. by 20-ft. seating platform has also been constructed without city review or inspection.

In a pro-active attempt by city building inspectors, they notified Mr. Dawson of the need to submit plans and schedule an inspection; they witnessed a few construction flaws with the seating platform. The following is a list of construction flaws as documented by Greg Clayton, city building inspector:

- 1. Need bearing under the double 2" 8" boards...at post that are supporting it;
- 2. Need bearing under the 2 x 8 that run into the double 2" 8" ...under the joist that are over spanned ...larger ones;
- 3. Corners need bearing at all points;
- 4. Everywhere there are the support post...under the deck, a support post needs to be added at that point directly under the joist;
- 5. Also at the overhead...need a support block (1-foot) or greater at corners.

City code requires that any external wiring for an outdoor recreational area must be enclosed in conduit and approved by a city building inspector.

Staff Recommendation

Denied... for the following reason(s):

1. Construction work for the concession trailer and the seating platform was conducted and completed without a city building permit. (construction is deemed unsafe for public use until proven safe by city inspectors);
2. The required findings cannot be made.

Planning Commission Alternatives

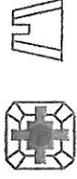
The Planning Commission has the following options available in the consideration of this application:

1. Approve the application as submitted upon finding that the requirements of Section 40, of the 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.

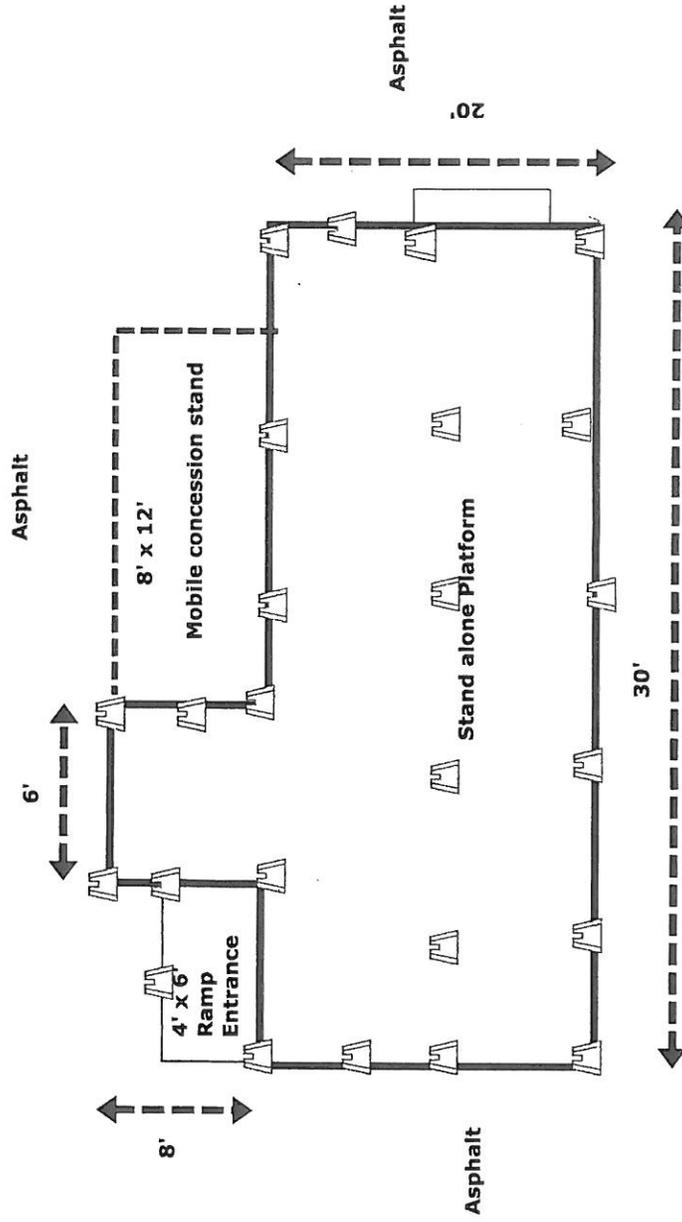
Attachments:

1. Site Plan
2. Platform specs
3. GIS Map

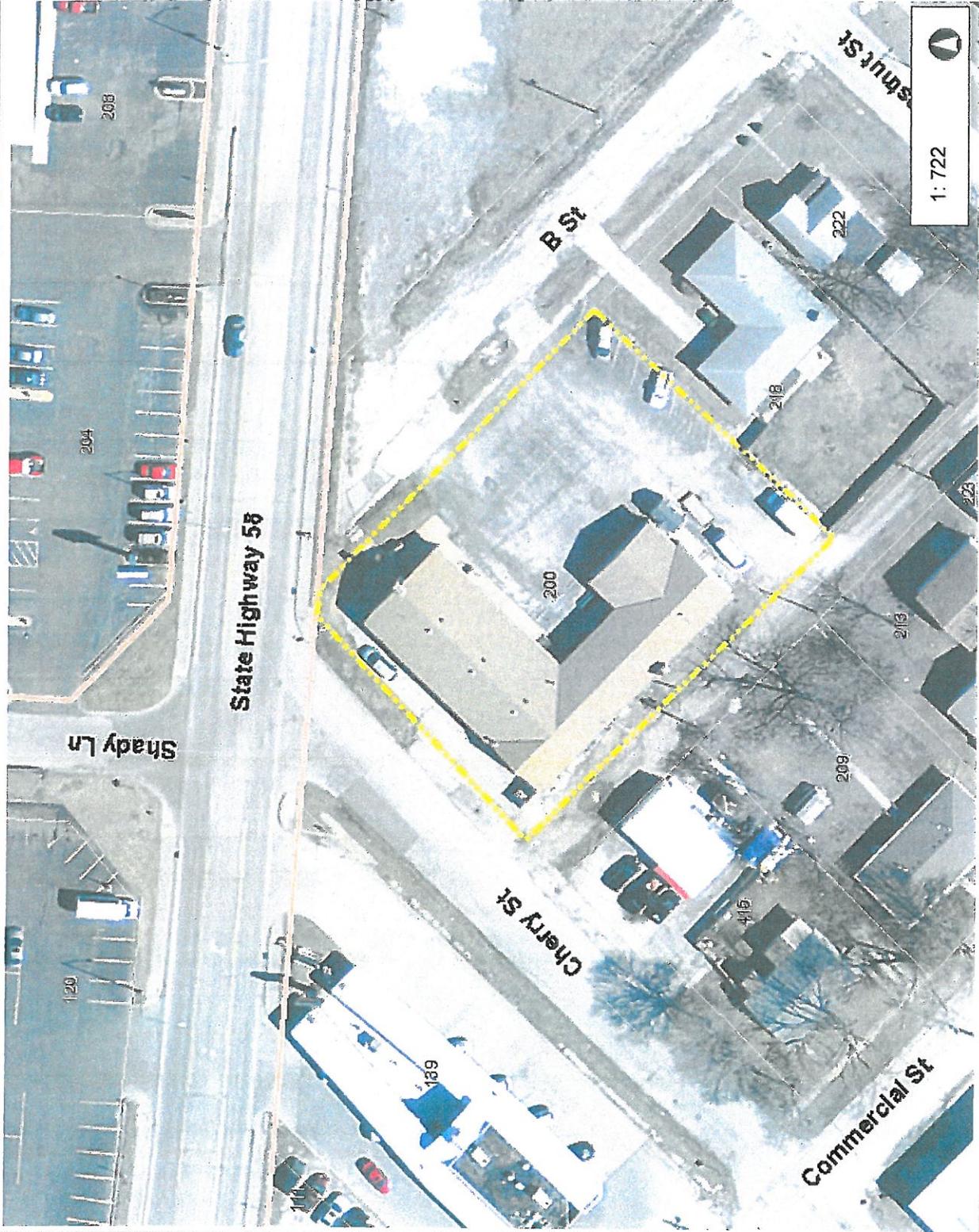
Platform specs



- 1). full contact treated 4x 4 wood post mounted with 4 1/2" lag screws, set on a concrete pier every 6' sq. on floor joist and perimeter structure.
- 2). Structure is 2" x 8" joist on 16" centers, Deck is 3/4 OSB TG. coated with Restore epoxy. screws to fasten deck with is 1 1/2 camo deck screws.
- 3). Handrail 5/4 cedar is 4' tall with 1' x 4" slats every 4" or less



Belton, MO



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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Legend

- Street
- Parcel
- Subdivision
- Building Footprint Basemap
- Parcel Basemap
- Boundary Basemap

Notes

