

Minutes of Meeting
Belton Planning Commission
City Hall Annex, 520 Main Street
Belton, Missouri
December 7, 2015

CALL TO ORDER

Vice Chairman Chris Christensen called the meeting to order at 6:00 p.m.

ATTENDANCE

Commission: Vice Chairman Chris Christensen, Commissioners Sally Davila, Tim McDonough, Ryan Finn, Chuck Crate, Larry Thompson, Councilman Chet Trutzel and Mayor Davis.

Staff: Jay Leipzig, Community & Economic Director, Robert Cooper, City Planner, Megan McGuire, City Attorney, Jennifer Dutcher, Community Development Secretary, Dave Frazier, Transportation Division Superintendent, and Chad Elliott, Sign and Signal Technician.

Absent: Chairman Holly Girgin

MINUTES

Commissioner Thompson moved to approve the minutes of the November 16, 2015 Planning Commission meeting. Seconded by Commissioner Crate. 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 M-1 (Light Manufacturing) District to C-2 (General Commercial) District for a 2.94-acre tract of land, described as Dean-Co Development Park, located on Cunningham Parkway. Noting the applicant would like to rezone the entire 2.94-acre parcel to C-2 (General Commercial). The request to rezone is made by property owner, Highlands Development, LLC. Mr. Cooper welcomed Developer, Chris Williams and Engineer, Steve Warger to the meeting. The change in zoning will allow for the construction of a 7,684-sq. ft. Veteran's Care Facility. The proposed zone change to C-2 would allow a medical/clinic facility with no special permits required. Staff supports a recommendation to rezone the subject property from M-1 (Light Manufacturing) District to C-2 (General Commercial) District.

Commissioner McDonough questioned if the adjacent lot will stay M-1 or if it should be considered for rezone as well. Mr. Leipzig stated staff has addressed this issue, keeping an M-1 zoning will allow for more flexibility. No reason to address a zone change for this parcel at this time.

Vice Chairman Christensen opened the public hearing at 6:09 p.m. to hear any public input concerning the rezone.

Enos Axtell, Jr. of 14817 S. 71 Hwy, Grandview, Mo, a representative from Dean Co. Farms, addressed the Commission stating the other tract of land currently has a contract pending and there is no need for a zone change, please do not change that zoning.

Chris Williams, 7820 N. Hull Ave Kansas City, MO, Highland Developer, introduced himself to the Commission and wished to express he was available to answer any questions noting the Department of Veteran Affairs is excited for this project.

Vice Chairman Christensen questioned if any additional persons would like to speak in reference to the rezoning, being no further public input, the public hearing closed at 6:11 p.m.

Councilman Finn moved to approve the zone change from M-1 (Light Manufacturing) District to C-2 (General Commercial) District for a 2.94-acre tract of land, described as Dean-Co Development Park, located on Cunningham Parkway, seconded by Commissioner Crate.

A vote on the motion to approve the zone change from M-1 (Light Manufacturing) District to C-2 (General Commercial) District for a 2.94-acre tract of land, described as Dean-Co Development Park, located on Cunningham Parkway was taken, and the following vote recorded:

Ayes: 8 – Vice Chairman Chris Christensen, Commissioners Sally Davila, Tim McDonough, Ryan Finn, Chuck Crate, Larry Thompson, Councilman Chet Trutzel and Mayor Davis.

Noes: 0 – None

Absent: 1 – Chairman Holly Girgin.

Motion carried.

Mr. Cooper presented the staff report for the consideration of the Final Plat approval for Highlands, Lot 1, a 2.94-acre, tract of land for the development of a 7,684-sq. ft. Veteran's Care facility, located on the north side of Cunningham Parkway. Noting the City's Development Review Committee has convened on several occasions and met with the developer to discuss and review the elements of the plat and the general layout of the site. This tract of land has several easements which needed to be clearly identified. This Final Plat will clearly identify all property boundary markers including all public and private easements. Staff finds the final plat to be in accordance with Section 35-36 of the Belton Unified Development Code, therefore, supports a recommendation to approve the Final Plat of Highlands, Lot 1, Plat.

Mrs. McGuire requested the engineer to show the storm water management area. Steve Warger of Warger Associates stated the storm water management area is basically what is within the easement as he continued with a visual overview of the storm water management. Mrs. McGuire questioned if there was any flow from the Texas Roadhouse onto the VA site. Mr. Warger stated no there is not; actually our site will flow into theirs.

Mayor Davis questioned if the building in being built large enough.

Chris Williams stated the building is being built per the VA requirements; additional ground has been bought for future expansion if needed.

Councilman Trutzel moved to approve the Final Plat approval for Highlands, Lot 1, seconded by Commissioner Finn.

A vote on the motion to approve the Final Plat approval for Highlands, Lot 1, a 2.94-acre, tract of land for the development of a 7,684-sq. ft. Veteran's Care facility, located on the north side of Cunningham Parkway was taken, and the following vote recorded:

Ayes: 8 – Vice Chairman Chris Christensen, Commissioners Sally Davila, Tim McDonough, Ryan Finn, Chuck Crate, Larry Thompson, Councilman Chet Trutzel and Mayor Davis.

Noes: 0 – None

Absent: 1 – Chairman Holly Girgin.

Motion carried.

Mr. Cooper presented the staff report for the consideration of an approval for the Preliminary Development Plan review of Freddy's, a frozen custard and steak burger restaurant, located directly east of the Bank of America building, addressed as 1822 E. North Avenue. Noting the developer applied for and received approval of a re-plat of Lot 1, the Charter Plaza Third Plat; e.g. Bank of America parcel, was approved by the Planning Commission on September 21, 2015. The re-plat was needed for the development of the Freddy's site. Upon the Planning Commission general acceptance of the preliminary development plan, the developer will make the necessary changes as proposed by staff and will bring the project back to the Planning Commission as a Final Development Plan. The intended use will be a 3,625 square foot restaurant with a drive thru. The general appearance of the building will be a brick veneer with a drainable exterior insulated finish system (E.I.F.S.), including fabric awnings and goose-neck light-fixtures. The HVAC units if roof-mounted will be behind the parapet wall, painted to match building and screened from public view and/or screened by landscaping if the units are ground-mounted. There will be two access points via 'Access Easements' from Powell Avenue. There is an access easement in front (south side) of the bank running parallel to 58-Highway and the other access easement is located north of the bank, which is currently used as an egress for bank ATM drive-thru traffic. The parking ratio for this project is 1:100 square feet, which equates to no less than 37-parking spaces. The site will provide for 56 parking spaces which include handicap stalls. The developer is proposing a stand-alone and building wall signs. All disturbed land areas not landscaped will be seeded or sodded and irrigated with an irrigation system compete with a back-flow preventer. Staff recommends the Preliminary Development Plan approval for the Freddy's restaurant, located at 1822 E. North Avenue.

Vice Chairman Christensen questioned who maintains the areas around the approach. Greg Waldo, representative for Freddy's, stated there is a joint maintenance agreement with the bank. Between us and the bank, we will fix and maintain that road it will not be anyone else's responsibility.

Councilman Trutzel questioned the access, indicating there could be a sizable problem at the Subway restaurant when 2-3 cars start stacking up at the stop light. There may be a need for some sort of a median to direct traffic. Traffic will be a problem, remember the Cedar Tree renovations will create additional traffic. Mr. Cooper indicated staff has noted a comment that a median may be required for the flow of traffic.

Mrs. McGuire inquired as to the distance between Hwy 58 and the first entrance into the bank and why this area was not shown on the site plan. The City does not want to be a part of permitting a plan that is going to cause access issues off of Highway 58 into a City public street. Mrs. McGuire confirmed a two way ingress and egress. She inquired as to whether a traffic analysis is contemplated for Freddy's.

Kevin Pinkowski with BHC Rhodes indicated it is roughly 50 feet from Hwy 58 and the first entrance into the bank. A traffic study has not been triggered under the city standards and therefore one has not

been performed. Mr. Pinkowski looked for clarification of the concern stating that ingress and egress is an existing condition and an existing traffic pattern with multiple points of egress from the businesses in the area.

Mrs. McGuire indicated there appears to be a potential for conflict just because of the short travel distance from Highway 58 into the site. As has been suggested, directing traffic right in and right out, may take care of many of these issues. There may be a need for an evaluation of the peaks and valleys for the bank's traffic flow. In planning for general development in the area, the city needs to plan for more overall traffic patterns with the anticipated redevelopment of Cedar Tree.

Commissioner Crate questioned the visual aspects of the backside of the restaurant at the drive thru. Since this area is visible from the Interstate and Raymore, will it be appealing. Mr. Waldo indicated the building will be visible from all sides, having the same brick, Exterior Insulated Finish System (E.I.F.S.) and facade. Commissioner Crate questioned the design and materials used for the garbage collection area. Mr. Waldo indicated the trash enclosure will be constructed of the same materials used on the restaurant, with the gates constructed out of fiberglass rather than cedar wood. Commissioner Thompson questioned the visibility of the electrical panels. Mr. Waldo indicated the electrical panels are located on the back of the building and painted to match. The panels set out roughly 6" from the wall.

Discussion concerning access resurfaced, it was determined no formal traffic study would be recommended.

Commissioner Crate moved to approve the Preliminary Development Plan for Freddy's located at 1822 E. North Ave with the following specified conditions:

- Traffic patterns to be reviewed.
- The drive thru appearance to be reviewed (in addition to staff's comments), seconded by Councilman Trutzel.

Mr. Pinkowski asked for a clarification to the comment pertaining to the review of traffic patterns. He indicated he assumes the intent is for the design team to review the traffic patterns and coordinate with staff. He wanted to clarify what the stipulation would be. Commissioner Crate stated that will be the intent, we are not requesting a formal traffic study.

A vote on the motion to approve the Preliminary Development Plan for Freddy's was taken, and the following vote recorded:

Ayes: 8 – Vice Chairman Chris Christensen, Commissioners Sally Davila, Tim McDonough, Ryan Finn, Chuck Crate, Larry Thompson, Councilman Chet Trutzel and Mayor Davis.

Noes: 0 – None

Absent: 1 – Chairman Holly Girgin.

Motion carried.

Mr. Frazier presented the Commission with the newly proposed street signage, noting the current signage is smaller in size; these larger signs will assist with visibility. Discussion covered the sign mounting and locations. The overall consensus of the Commission, agreed the signs were aesthetically pleasing and everyone liked the design.

Mr. Leipzig gave the Directors report, stating the January 4, 2016 Planning Commission meeting will have the Final Development Plan for both Freddy's and the Veterans Administration Clinic. The Cedar Tree Shopping Center redevelopment will have the second reading at the City Council and plans will be submitted to us within a week and a half. Mr. Leipzig indicated he will be asking the Commission to consider placing a 6 month moratorium for smoke shops, e-cig businesses, hookah bars and used car lots at the next meeting. Discussion revolved around the cancellation of the December 21st Planning Commission meeting, the consensus was unanimous and the meeting was cancelled.

ADJORNMENT

Commissioner McDonough moved to adjourn the meeting. Seconded by Councilman Trutzel. All members present voted in favor and the meeting adjourned at 7:13 P.M.

Jennifer Dutcher
Community Development Secretary