Minutes of Meeting
Belton Planning Commission
City Hall Annex, 520 Main Street
Belton, Missouri
January 4, 2016

CALL TO ORDER

Chairman Holly Girgin called the meeting to order at 6:00 p.m.

ATTENDANCE

Commission: Chairman Holly Girgin, Commissioners Chris Christensen, Sally Davila, 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, Jeff Fisher, Public Works Director, Jennifer Dutcher, Community Development Secretary

Absent: Commissioner Tim McDonough

MINUTES

Commissioner Finn moved to approve the minutes of the December 7, 2015 Planning Commission meeting. Seconded by Commissioner Christensen. All members present voted in favor and the motion carried.

DISCUSSION

Mr. Leipzig addressed the Commission concerning the zone change from C-2 (General Commercial) District to M-1 (Light Manufacturing) District, indicating the applicant is present and has met with staff during a Development Review Committee (DRC) meeting roughly a month ago; at that time there was a discussion of the plan not being consistent with the Future Land Use and Current Zoning Maps. Staff would like to see access into the adjacent businesses.

Mr. Cooper presented the staff report for the consideration of a zone change from C-2 (General Commercial) District to M-1 (Light Manufacturing) District, for a 5.5-acre tract of land, described as All of Lots 3 & 4, Kansas City-Belton, Commercial-Industrial Park, located directly east of The Home Depot store and north of Walgreens. Citing the entire tract of land is currently zoned C-2 (General Commercial) with frontage on N. Mullen Road. The request to rezone is made by property owner, McGregor Interests, Inc. The change in zoning will allow for the construction of eight (8) building lockbox storage facility with over 75,000 square feet of gross floor area. The prominent zoning classification for this area is C-2 (General Commercial). The area of the proposed zone change is located within the city's primary retail/commercial growth corridor. The proposed zone change to M-1 (Light Manufacturing) would allow the following land uses and/or business according to Section 40 of the Belton Unified Development Code: Social Club or Lodge; Veterinary Services; Publication Services; Construction Sales & Service; Outdoor Spectator Sports; Funeral Home; Warehousing; Heavy Equipment Sales or Rental; Manufacturing & Industrial Services; Research Laboratory; and Trucking Terminals. These potential land uses would be inconsistent with the city's future land use plan for the Markey Parkway commercial corridor. Additional uses could be allowed in an M-1 zoning district with an approved Special Use Permit. The rezoning of the

property to manufacturing as proposed could potentially pose an increase in environmental impacts due to the more intensive use or activity on the property. The predominant uses along the corridor are commercial retail, restaurants and miscellaneous commercial services. The zone change could potentially have an adverse impact on the surrounding properties. Staff does not support a recommendation to rezone the subject property from C-2 (General Commercial) to M-1 (Light Manufacturing) District for the following reason(s):

1. The zone change would create a *Spot Zone; and
2. The zone change would be inconsistent with the City's Future Land Use Map.

Chairman Girgin opened the public hearing at 6:10 p.m. to hear any public input concerning the rezone.

Geoff McGregor, Vice President of McGregor Interests, Inc. addressed the Commission stating we have developed a few of these self-storage facilities around the Midwest. Some of them directly in front of Walmart, I think they are some of the higher end self-storage facilities out there. Mr. McGregor wished to address the comment pertaining to spot zoning, indicating there are adjacent properties with metal buildings and unpaved parking with industrial uses. He believes the self-storage facility would be a good buffer between the retail and the existing industrial area. They had a topography done and it indicated a 28' fall from Mullen Road to the back tree line of the site; this will make it tough to create a retail corridor in that area. It's a very low intensity use with an average of 5 cars a day; most retail places have more employees than that. There will be a low demand on traffic. We completed a demand calculation for the City of Belton; utilizing the Self-Storage Almanac, using the 9.6% demand per square foot per person; we do have the net demand to support our facility.

Megan McGuire, City Attorney, questioned if they looked at any other sites in the Belton area. Mr. McGregor indicated we like to take an emphasis on high traffic areas. We looked around Belton and the Kansas City area trying to identify high traffic areas. We like to locate close to home improvement or Walmart stores.

Commissioner Thompson questioned if there will be storage for motorhomes or travel trailers. Mr. McGregor indicated its all enclosed self-storage. The ten units in the back will have 12' doors and 12' high which could store a small motorhome. No exterior storage, all storage is enclosed and a better use for the land and for us.

Mayor Davis questioned what was planned for the area behind the Cedar Tree. Mr. Leipzig stated it was marketed as a strip mall but no more information is available, possibly a hotel or another use.

Mayor Davis questioned if they looked at other sites and asked why was this location selected. Mr. McGregor replied they liked the traffic count, like it located near a home improvement store, it's a great use for the site and the land was priced correctly for us. With the large topography change, roughly 400' deep with quite a bit of drop off it will be difficult for other types of businesses. The facility is not visually dominating on the site, it will have a very low elevation with 11' at max peak; by the time we have our second building it'll probably drop down so much that you can barely see the building. It's a great transition from your retail to your industrial users to the North.

Mr. Leipzig questioned if all their sites have a typical 200 square foot sales area. Mr. McGregor stated yes, we have miscellaneous point of sale items of moving supplies and locks, we think it's the highest and best use for the land, it's a great transition between the retail and the industrial uses to the north; and very low intensity use.

Chairman Girgin questioned if any additional persons would like to speak in reference to the rezoning, being no further public input the public hearing closed at 6:30 p.m.

Councilman Trutzel stated while he would appreciate having them in Belton, he is opposed to a zone change. We have been too lax with spot zoning; these create additional problems for surrounding businesses with all the activity along this area that land will eventually be used for commercial. He said he will not support the zone change neither here or in council.

Commissioner Finn moved to deny the zone change from C-2 to M-1 (Light Manufacturing) District, for a 5.5-acre tract of land, described as all of Lots 3 & 4, Kansas City-Belton, Commercial-Industrial Park, seconded by Councilman Trutzel.

A vote on the motion to deny the zone change from C-2 (General Commercial) District to M-1 (Light Manufacturing) District, for a 5.5-acre tract of land, described as all of Lots 3 & 4, Kansas City-Belton, Commercial-Industrial Park was taken, and the following vote recorded:
Ayes: 7 –Chairman Holly Girgin, Commissioners Chris Christensen, Sally Davila, Ryan Finn, Larry Thompson, Councilman Chet Trutzel and Mayor Davis.
Noes: 1 – Commissioner Chuck Crate
Absent: 1 – Commissioner Tim McDonough
Motion to deny carried.

Mr. Cooper presented the staff report for the Final Development Plan review of Freddy's, a frozen custard and steak burger restaurant, located directly east of the Bank of America building, and addressed as 1822 E. North Avenue. The current zoning is C-2 (General Commercial) District, with a site size of 63,575-square feet contained on 1.46-acre(s). The subject site is located within the City's primary commercial/retail corridor. There will be two (2) 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. Additional roadway markings and directional signage will be provided, in an effort to ensure a smooth traffic flow. Freddy's is willing to do a right in, right out without putting in a median or any roadway structure, this will be by roadway markings with signage indicating right in, right out with no left turn. 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. Staff recommends approval of the Final Development Plan for a Freddy's restaurant development.

Commissioner Thompson moved to approve the Final Development Plan for Freddy's, located at 1822 E. North Avenue, seconded by Commissioner Christensen.

A vote on the motion to approve the Final Development Plan of Freddy's, located at 1822 E. North Avenue was taken, and the following vote recorded:
Ayes: 8 –Chairman Holly Girgin, Commissioners Chris Christensen, Sally Davila, Ryan Finn, Chuck Crate, Larry Thompson, Councilman Chet Trutzel and Mayor Davis.
Noes: 0 – None
Absent: 1 – Commissioner Tim McDonough,
Motion carried.

Mr. Leipzig addressed the Commission stating the Preliminary Development Plan for the Veterans Care Facility was presented on December 7, 2015. All of the comments that are still open pertain to the construction documents and will be addressed; this building is esthetically pleasing.

Mr. Cooper presented the staff report for the consideration of the Final Development Plan of the Veteran's Care Facility, located on the north side of Cunningham Parkway. Warger Associates, on behalf of the Veteran's Care Facility, has submitted development plans for this project. The intended use will be medical office having a building size of 7,684 square feet. The subject site is located within the City's primary office/medical use corridor. There will be one (1) access point for ingress/egress from Cunningham Parkway. The parking ratio for this project is 1:300 square feet, which equates to no less than 26-parking spaces. The site will provide for 35 parking spaces which include handicap stalls. A landscape maintenance escrow in the amount of 25% of the total cost must be submitted to and held by the City for a period not to exceed two (2) years. Staff recommends approval of the Final Development Plan for the Veteran's Care Facility as submitted.
Mayor Davis stated we are proud to have this in our city; we have a great deal of veterans. Are there enough handicap parking spaces for our veterans? Mr. Leipzig stated the plan meets and exceeds the number of minimum of handicap spaces.
Commissioner Thompson questioned if we will require sidewalks on the facility. Mr. Leipzig indicated we should have the connectivity if possible. Mr. Cooper indicated there is a requirement for sidewalks. Chris Williams with Highlands Development stated most veterans are driving or will be dropped off, the connectivity of sidewalks really doesn't benefit.
Mr. Leipzig stated staff would require a sidewalk to the end of their parcel then as the next parcel develops; the connectivity will finish. Mr. Fisher agreed sidewalks are required per code.

Commissioner Christensen moved to approve the Final Development Plan of the Veteran's Care Facility, a 2.94 acre tract of land located on Cunningham Parkway, seconded by Commissioner Crate.

A vote on the motion to approve the Final Development Plan of the Veteran's Care Facility, a 2.94 acre tract of land located on Cunningham Parkway was taken, and the following vote recorded:
Ayes: 8 –Chairman Holly Girgin, Commissioners Chris Christensen, Sally Davila, Ryan Finn, Chuck Crate, Larry Thompson, Councilman Chet Trutzel and Mayor Davis.
Noes: 0 – None
Absent: 1 – Commissioner Tim McDonough,
Motion carried.

Mr. Leipzig addressed the Commission requesting an approval of a Resolution for an Administrative Delay directing staff to delay the acceptance and processing of new applications for Smoke Shops, Hookah Bars, E-cigs / Vapor Shops and Used Car Lots between January 4, 2016 and July 4, 2016. This additional time will allow staff to refine current ordinances and look at our business licensing procedures.

Commissioner Christensen moved to recommend an approval for a Resolution for an Administrative Delay, seconded by Commissioner Thompson.

Commissioner Crate questioned why we aren't including the short term loan offices or operations that are taking an unfair advantage of our citizens. Mr. Leipzig indicated we have a current Ordinance for short term loan companies; which includes a one mile separation. We did not feel it is necessary to include these types of companies as our current ordinance is satisfactory. The two current payday loan companies housed within the Cedar Tree were in operation before the separation requirement became effective. Mr. Crate questioned if a major renovation takes place he believes that the business has to go through a relicensing procedure. Mr. Leipzig indicated, this is a very regulated business, staff will look into it.

A vote on the motion to recommend an approval for a Resolution for an Administrative Delay was taken, and the following vote recorded:
Ayes: 8 –Chairman Holly Girgin, Commissioners Chris Christensen, Sally Davila, Ryan Finn, Chuck Crate, Larry Thompson, Councilman Chet Trutzel and Mayor Davis.
Noes: 0 – None
Absent: 1 – Commissioner Tim McDonough,
Motion carried.

Mr. Leipzig presented the Commission with 2015 Year-In-Review for the Planning Commission and the Board of Zoning Adjustment activities and 2016 priority items. Citing this is the fifth year for this report, it is an overview of the basic statics of the Planning Commission. Mayor Davis questioned if 2015 was a busier year than in the past. Mr. Leipzig indicated yes, absolutely.

Chairman Girgin stated she has over a 10 year perspective on the Commission and the processes at the City level, Commission level, codes and ordinances and tying it all together. We are sitting better than we ever have. Staff has done an extraordinary amount of work and effort to move all of these things forward and the Commission works very well in conjunction with the City goals, objectives, and staff input. I think we have a good team, I am proud of us.

Next meeting is scheduled for February 1, 2016.

ADJORNMENT
Commissioner Crate moved to adjourn the meeting. Seconded by Commissioner Christensen. All members present voted in favor and the meeting adjourned at 7:13 P.M.

Jennifer Dutcher
Community Development Secretary