AGENDA
CITY OF BELTON
PLANNING COMMISSION
MEETING & PUBLIC HEARING
MONDAY, MARCH 21, 2016 - 6:00 P.M.
CITY HALL ANNEX, 520 MAIN STREET

I. CALL MEETING TO ORDER

II. ROLL CALL

III. APPROVAL OF THE MINUTES OF THE MARCH 7, 2016 PLANNING COMMISSION MEETING

IV. PUBLIC HEARING

A. Consideration of an application submitted by Belton Mini-Storage, LLC, requesting a zone change from C-2 (General Commercial) to M-1 (Light Manufacturing) for a portion of a 1.30-acre tract of land located at 209 N. Scott.

V. DIRECTOR'S REPORT

VII. NEXT MEETING DATE: April 18, 2016

VIII. ADJOURNMENT

MEETING MINUTES

March 7, 2016

Minutes of Meeting
Belton Planning Commission
City Hall Annex, 520 Main Street
March, 7, 2016

CALL TO ORDER
Chairman Girgin called the meeting to order at 6:00 p.m.

ATTENDANCE

Commission:	Chairman Holly Girgin, Mayor Jeff Davis, Councilman Chet Trutzel, Commissioners Sally Davila, Tim McDonough, Chris Christensen, Ryan Finn, Chuck Crate and Larry Thompson.
Staff:	Jay Leipzig, Community and Economic Development Director; Megan McGuire, City Attorney; Robert Cooper, City Planner; and Ann Keeton, Interim Community Development Administrative Assistant.
Absent:	None

MINUTES
Commissioner Christensen moved to approve the minutes of the February 1, 2016 Commission meeting. Commissioner Crate seconded the motion. All members present voted in favor and the motion carried.

PUBLIC HEARING- Special Use Permit for a one-sided digital billboard sign
Mr. Cooper presented the staff report regarding a request for a Special Use Permit (SUP) to allow one-sided digital billboard sign to be located on property east of I-49 and south of 162nd Street. He pointed out on an aerial photo the proposed sign location and called attention to the fact there is an existing billboard sign at the location. Details about area zoning, the applicant, Waitt Outdoor, LLC, and sign dimensions (35-ft high, 672 s.f. face), were provided by Mr. Cooper. He went on to report that notices were sent to surrounding property owners announcing the public hearing date. The property owner is in favor of the sign and there was no response from other neighboring property owners according to Mr. Cooper. He stated the sign location gives Missouri Department of Transportation (MoDOT) jurisdiction and that the applicant has received all required written approvals/permits from MoDOT for outdoor advertising. Mr. Cooper went on to report the proposed digital billboard face will be on the north side only of the sign structure. He maintained the sign could potentially benefit local businesses by providing a venue to advertise. Nearby commercial businesses were identified by Mr. Cooper, along with a church, which he stated is approximately 260 feet north of the proposed sign. He pointed out the digital sign could potentially increase the illumination and light pollution in the surrounding area. In addition, it was reported the applicant has all the necessary access easements, and if the SUP is approved, the applicant will be required to obtain City sign and electrical permits. Mr. Cooper went on to inform the Commission that staff recommends approval of the SUP application.

Chairman Girgin opened the public hearing at 6:10 p.m. The hearing was being held to receive public input regarding an SUP application to allow a one-sided digital billboard sign to be located on property addressed as 16241 E. Outer Road.

Glenn Hills, representing Waitt Outdoor, 4717 F Street, Omaha, Nebraska, was present to answer questions and speak in favor of the application. In discussion, Mr. Hills answered questions and explained there is existing underground power at the site which will be evaluated by an electrician to

see if any modifications are necessary. It was noted there are not any residential structures close to the proposed sign but a nearby church is located in a residential zoning district. Mr. Hills explained the reason Waitt Outdoor chose to make the sign one-sided and he identified the southbound traffic count as the rationale for placing digital on the north face. Mr. Hills went on to say the company will never put a digital sign on the other (south) side of the billboard, and indicated he will confirm that in writing. Each sign message/image will have a minimum duration of 10 seconds according to Mr. Hills, which is the State requirement for digital signs and exceeds the City requirement. Councilman Trutzel initiated a conversation about the approval and installation of billboards along 58 Highway and suggested researching policy changes regarding the kind and number of billboards in the City. Mr. Cooper explained there is now a separation requirement for billboard structures within the City, and using that formula, no additional billboards can be added. When asked about marketing practices, Mr. Hills identified Quik Trip, McDonald's, Burger King and other restaurants chains as current clients. The company markets to Interstate businesses and not just Belton businesses according to Mr. Hills, and typically there can be up to eight advertisements that rotate every 10 seconds. He went on to state that there could be opportunities for non-profits or the City to advertise on the sign for short periods.

Commissioner McDonough questioned Mr. Hills about the proposed sign brightness/intensity shown in the sign specifications. The proposed daylight brightness was given as 7,500 NITS while the City Code limits to 7,000 and Mr. Hills said the intensity can be set at 7,000 NITS at the manufacturer. From dusk to dawn the sign intensity is between 300 – 1,200 NITS which is less than the City Code requires. Mr. Hills provided details about control of the sign intensity with factory presets, temperature sensors and other safeguards which are used to prevent the digital sign from inadvertently displaying excessive brightness. He went on to say the NITS are preset at the manufacturer and will be set at 7,000 NITS for daylight hours and he recommended 300 NITS from dusk to dawn. Other discussion topics included the size of the digital sign face, the sign potentially distracting drivers at the I-49 and 163rd Street exit, and enforcement of digital signs that exceed the maximum allowed NITS. Commissioner McDonough pointed out long-standing issues with digital sign enforcement and recommended addressing the problem. The Commission discussed instituting annual tests of the digital sign's intensity/brightness and Mr. Hills volunteered to provide sign test results every six months. Ms. McGuire reported that in tests it has been proven the human eye automatically looks toward flashing or bright lights so it is critical the NITS are at a level that does not cause that reaction. The Commission considered reviewing the SUP annually for Code compliance but it was pointed out by Ms. McGuire that the cost of the digital sign may make the annual review of the SUP prohibitive and unfair, but the performance of the sign could be a condition of approval. Mr. Hills told Commission members that LED lights lose 300 – 500 NITS a year. Commissioner Christensen called attention to the fact that the area sign conditions (darkness / brightness) will affect how the sign intensity is perceived and Ms. McGuire suggested the Code language of "not to exceed" a maximum number of NITS allows for a lower light intensity as a condition of SUP approval. A history of the research that went into development of digital light intensity criteria for the Kansas City area was disclosed by Mr. Hills.

Commissioner Crate suggested the sign ordinance be revised to create an overall digital sign policy and to eliminate the SUP process for digital sign approval. Commissioner Crate moved to table action on the SUP application submitted by Waitt Outdoor until such policy is developed and approved by the City Council. Mr. Hills answered additional questions and provided information regarding the national NITS standard. He indicated the national standard is 7,500 NITS during daylight hours and between 1,000 – 1,200 NITS from dusk to dawn and in his stated opinion, 2,500 NITS is very high and he categorized it as "blinding." Mr. Hills stated his company follows the state guidelines for digital sign intensity. The motion by Commissioner Crate died for lack of a second.

Councilman Trutzel moved to approve an SUP application submitted by Waitt Outdoor to allow a one-sided digital billboard sign, to be located east of I-49 and south of 162nd Street at 16241 E. Outer Road, with the following conditions: 1) the digital sign is not to exceed 1,200 NITS dusk-to-dawn; 2) the digital sign is to be third party tested annually for code compliance (intensity/brightness). The motion was seconded by Commissioner Christensen. In discussion after the motion the Commission debated the number of years to require the annual third party test. There was agreement that the test should be conducted annually with no end date. Chairman Girgin closed the public hearing at 6:45 p.m. When a vote was taken, the following was recorded: Ayes, 9 – Chairman Girgin, Mayor Davis, Councilman Trutzel, Commissioners Davila, McDonough, Christensen, Finn, and Thompson. Noes, 1 – Commissioner Crate. Absent: none. The motion carried. Chairman Girgin reiterated from an earlier discussion that it would be beneficial to get stronger language in place regulating digital signs. Commissioner McDonough emphasized his opinion that it is important that the City enforce the existing sign codes.

DIRECTOR'S REPORT

Mr. Leipzig reported on the following items:

- Staff will work on revising the language in the sign ordinance to include annual certification.
- Moratoriums will be brought to the Commission to consider in April
- An Ordinance pertaining to the harboring of chickens will be considered in April
- Presentation will be made to the Commission in April regarding the status of the Future Land Use Map process
- A joint work session with the City Council in October regarding discussion of the Future Land Use Map.

ADJOURNMENT

Commissioner McDonough moved to adjourn the meeting. The motion was seconded by Commissioner Christensen. All voted in favor and the meeting adjourned at 6:52 p.m.

Ann Keeton
Interim Community Development Administrative Assistant

ZONE CHANGE

C-2 to M-1

BELTON MINI-STORAGE

309 N. Scott

BELTON PLANNING COMMISSION
MONDAY, MARCH 21, 2016 – 6:00 P.M.
CITY HALL ANNEX BUILDING – 520 MAIN STREET

CHANGE IN ZONING CLASSIFICATION
M-1 (LIGHT MANUFACTURING) TO C-2 (GENERAL COMMERCIAL) DISTRICT

Robert G. Cooper, City Planner

CASE #RZ16-04

Belton Mini-Storage, LLC, has requested a zone change from C-2 (General Commercial) District to M-1 (Light Manufacturing) District, for a portion of a 1.30-acre tract of land, to allow the business to expand onto the property located at 209 N. Scott Avenue.

BACKGROUND

The entire 1.30-acre tract of land is currently zoned C-2 (General Commercial) with frontage on N. Scott Avenue. The applicant would like to rezone the eastern or rear half of the property, approximately 0.68-acre to an M-1 (Light Manufacturing) District.

The change in zoning will allow for the expansion of the Belton mini-storage facility. The City has been working with Brian Smith, owner of Belton Budget Storage, helping him with his plans to reinvest in the area and redevelop the 1.25-acre property to the north. Mr. Smith has purchased the property just to the north of his site, addressed as 209 N. Scott Avenue. Currently, that property contains a couple of structures, (built in 1948), one of which is a dilapidated building (verge of collapse) and the other is a building being used as an auto repair shop. In the past, (for many years) the property has been used as a junk car storage yard and auto repair shop. The use of the property has not changed over the years.

The redevelopment project will require the removal of the dilapidated building and the construction of a new 3000-sq. ft. building to be used as the main office for their Budget Self Storage and U-Haul truck leasing office.

Aerial photo of surrounding area

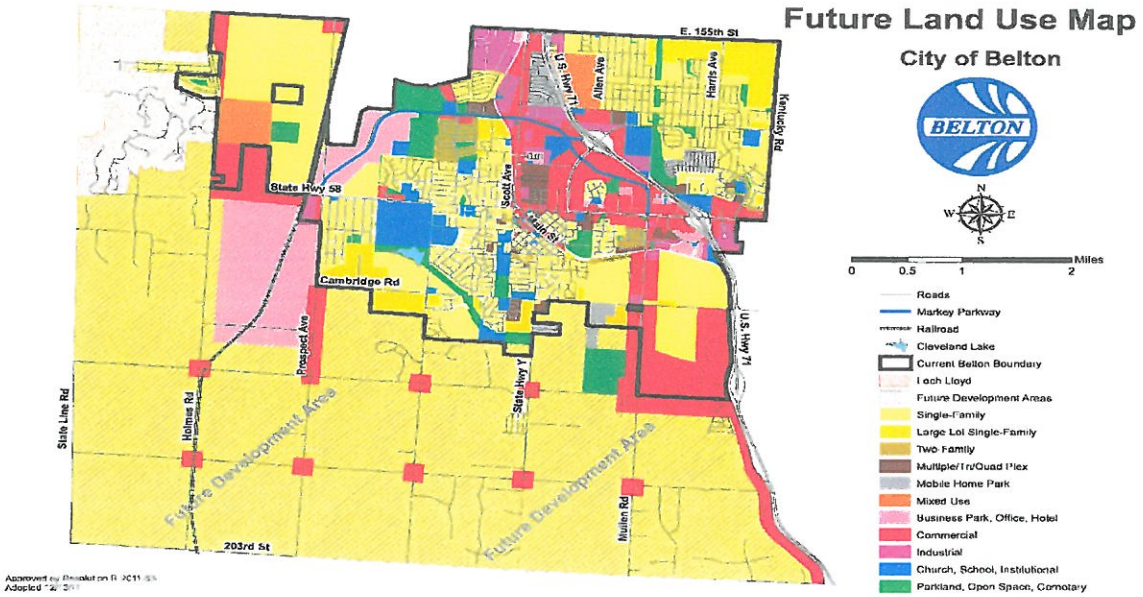
CURRENT ZONING

The dominant zoning for this area is C-2 (General Commercial). The area of the proposed zone change is located within the North Scott Redevelopment corridor.

The redevelopment plans for the Belton mini-storage facility appear to be consistent with the North Scott Redevelopment guidelines….ie: zoning, access, design, landscaping, and signage.

REVIEW

Comprehensive Plan. The City's Future Land-Use Map designates this area for commercial and light manufacturing use. To rezone a relatively small portion of the area to manufacturing, would be consistent with the City's Future Land Use Map and future plans for this area of the city.



COMPATIBILITY:

Pursuant to Section 40, UDC…the proposed zone change to M-1 (Light Manufacturing) would allow the following land uses and/or business:

- 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 Terminal

These potential land uses would be consistent with the city's future land use plan for the North Scott commercial corridor.

Additional uses would be allowed in an M-1 zoning district with an approved Special Use Permit. These potential uses would also be compatible with existing land uses that are located within the corridor.

NOTE: The subject area for rezone is adjacent to an existing M-1 (Light Manufacturing) zoning district.

ENVIRONMENTAL: Although, the rezoning of the property to manufacturing as proposed would hypothetically pose an increase in environmental impacts due to the more intensive use or activity on the property, however, in this case, the opposite is true. Even though the area was zoned commercial, it was used as a vehicle junk yard for many years contributing to soil contamination, trash and debris, and blight.

The zone change to a more intense use will allow for an improved, site engineered development which will be properly managed and controlled.

PREDOMINANCE: The predominant uses along the immediate corridor are used car sales lots, auto repair shops, general contractor storage yards, self-storage and a gas-station/convenience store.

ADVERSE IMPACT: The zone change will not have an adverse impact on the surrounding properties due to the fact the rezone is part of a large, site engineered, redevelopment project which will take into account the abutting multi-family zoning district to the east, by ensuring there is proper screening/fencing, exterior lighting mitigation, and storm-water runoff control.

STAFF'S RECOMMENDATION

Community Development staff support a recommendation to rezone the subject property from C-2 (General Commercial) to M-1 (Light Manufacturing) District.

PLANNING COMMISSION ACTION

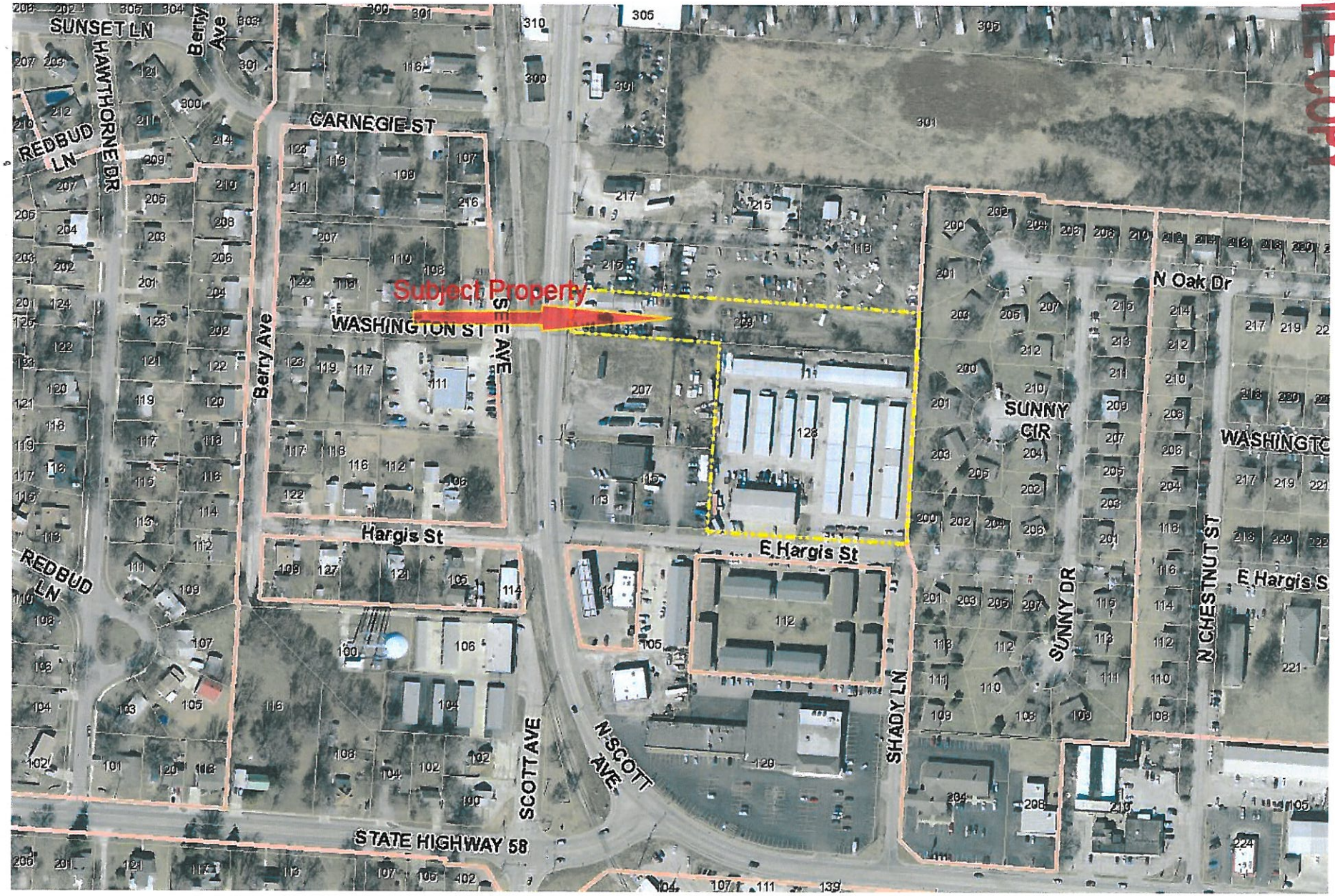
1. Motion to **approve** a zone change from C-2 (General Commercial) to M-1 (Light Manufacturing), for a 0.68-acre parcel, located at 209 N. Scott Avenue.

2. Motion to **deny** the zone change from C-2 (General Commercial) to M-1 (Light Manufacturing), for a 0.68-acre parcel, located at 209 N. Scott Avenue.

3. Motion to **continue** the case pending additional information.

ATTACHMENTS

- Area Map
- Zoning Map


FILE COPY
Subject Property
SUNSET LN
HAWTHORNE DR
Berry Ave
REDBUD LN
CARNEGIE ST
WASHINGTON ST
Hargis St
E Hargis St
Berry Ave
SCOTT AVE
N SCOTT AVE
SHADY LN
SUNNY CIR
SUNNY DR
N Oak Dr
N CHESTNUT ST
E Hargis S
STATE HIGHWAY 58

CASE NUMBER
RZ16-04
Subject Property
ACRE(S)
0.68
Carnegie St
Washington St
Hargis St
E Hargis St
See Ave
N Scott Ave
209 N. Scott
R-3
R-1
C-2
M-1
374.68 ft
29,981.87 ft²