



AGENDA  
CITY OF BELTON  
PLANNING COMMISSION  
PUBLIC HEARING & MEETING  
MONDAY, SEPTEMBER 20, 2010 - 7:00 P.M.  
CITY HALL ANNEX, 520 MAIN STREET

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- I. CALL MEETING TO ORDER
- II. ROLL CALL
- III. ELECTION OF OFFICERS
- IV. APPROVAL OF THE MINUTES OF THE AUGUST 16, 2010 PLANNING COMMISSION MEETING
- V. PUBLIC HEARING
  - A. Consideration of a Special Use Permit for a Communication Tower to be located at 215 Locust Hill Road.
  - B. Consideration of an Amendment to the City's Zoning Map.
- VI. DIRECTOR'S REPORT
- VII. NEXT MEETING DATE: October 4, 2010
- VIII. ADJOURNMENT

# MEETING MINUTES

AUGUST 16, 2010

Minutes of Meeting  
Belton Planning Commission  
City Hall Annex, 520 Main Street  
August 16, 2010

CALL TO ORDER

Vice-chairman Scott VonBehren called the meeting to order at 7:00 p.m.

ATTENDANCE

Commission: Vice-chairman VonBehren, Mayor Pro Tem Gary Lathrop, Councilman Bobby Davidson, Commissioners Sally Davila, Jeff Fletcher, and Roger Horne.  
Staff: Jay Leipzig, Community Development Director; Robert Cooper, City Planner, Patricia Jensen, City Attorney; and Ann Keeton, Community Development Secretary.  
Absent: Chairman Holly Girgin, Commissioners Tim McDonough and Larry Thompson.

MINUTES

Commissioner Horne moved to approve the minutes of the July 19, 2010 meeting. Mayor Pro Tem Lathrop seconded the motion. All members present voted in favor and the motion carried.

PUBLIC HEARING

Vice-chairman VonBehren opened the public hearing at 7:02 p.m. This hearing was being held to receive public input for a proposed ordinance to amend the Zoning Ordinance on the subject of residential care centers and halfway houses.

Mr. Leipzig reported the proposed ordinance will create new and revised definitions for foster homes, residential care facilities, group homes and halfway houses. He stated there is currently a moratorium which will expire October 31, 2010, on new residential care facility applications. The proposed ordinance will bring the City into compliance with the State regulations. Mr. Leipzig went on to say there will be a live-in manager / parent for the various types of homes, and will basically be supervised living quarters.

There was no public input so Vice-chairman VonBehren closed the public hearing at 7:05 p.m.

There was discussion about the definition of "family" in the Zoning Ordinance. Mayor Pro Tem Lathrop categorized the definition as confusing. Ms. Jensen explained the "family" definition in the agenda staff report is the current definition in the City Zoning Ordinance. She gave an explanation of the "family" definition including details about "domestic servants" used in the definition. **Councilman Davidson moved to recommend approval of the proposed amendment to the Zoning Ordinance for residential care facilities and halfway houses.** The motion was seconded by Commissioner Fletcher. When a vote was taken, the following was recorded: Ayes: 6 – Vice-chairman VonBehren, Mayor Pro Tem Lathrop, Councilman Davidson,

Commissioners Davila, Fletcher, and Horne. Noes: none. Absent: 3 – Chairman Girgin, Commissioners McDonough and Thompson. The motion carried.

#### DISCUSSION – Zoning and Land Use Maps

Mr. Leipzig reported that an update to the City zoning and land use maps is the next step in the Unified Development Code (UDC) approval process.

Mr. Cooper distributed a zoning district conversion chart (Chart attached) showing the current zoning classifications and the future UDC zoning classifications. He pointed out on a zoning map the locations of various zoning districts within the city limits. An explanation of the BP (Business Park) and the BP-R (Business Park – Restricted) zoning districts was given by Mr. Cooper. He said the City has recently added incentives for development in the business park area by establishing an Enhanced Enterprise Zone.

Referring to the zoning table Mr. Cooper named three new zoning districts that will be added in the UDC. Those districts to be added are the R-3A (Apartment Community Residential), PR (Parks, Recreation, and Public Use), and PO (Professional Office). There are currently no C-4 zoning districts within the City so the classification will be changed to the PO district.

Mr. Cooper labeled the R-3A zoning district as a high density apartment complex setting. He stated there have been developers interested in creating high-density residential projects but the City doesn't have that type of classification. Mr. Leipzig added this classification is like a residential multi-family community owned by one property owner.

The "I" (Industrial) zoning districts will become known as M (Manufacturing).

Mr. Cooper compared the PR district to a public use district. He gave examples stating Wallace Park, Fire Station #2, and the Police Station will all be included in the PR district. Those properties are currently labeled A (Agricultural). Schools and churches can locate in any zoning district according to Mr. Cooper, so those sites will not be identified separately but will be shown in the zoning district in which they are located.

When speaking of the Future Land Use Map Mr. Cooper reported that multiple City departments, the Planning Commission, the City Council, and the school district will be working together to update the map. The map will include potential annexation areas which Mr. Cooper indicated would be south and west of the City limits since the north / east boundaries are landlocked. Mr. Leipzig added the school district has a large amount of information on future growth trends which will be useful in the development of the map. There was a brief discussion about potential annexation areas that contain land with single-family developments versus those areas that have not been developed. Mr. Cooper reported the map update will involve study on the level of City services that would be required for emergency services, police and utilities in the annexed areas. Mr. Cooper explained the difference between the BP (Business Park) and BP-R (Business Park – Restricted) zoning districts.

#### DIRECTOR'S REPORT

Mr. Leipzig announced the first Monday in September is Labor Day so the next commission meeting will be held on Monday, September 20, 2010.

The current land use and zoning maps label the various zoning districts by using a variety of colors. Mr. Leipzig reported the American Planning Association (APA) uses standardized colors and during the map updates the existing colors on the City maps will be replaced with the APA standard colors.

The second reading of the Unified Development Code will be at the August 24, 2010, City Council meeting.

There will be an election of officers at the September 20, 2010, Planning Commission meeting.

#### ADJOURNMENT

Mayor Pro Tem Lathrop moved to adjourn the meeting. Commissioner Horne seconded the motion. All members voted in favor and the meeting adjourned at 7:32 p.m.

Ann Keeton  
Community Development Secretary

# ATTACHMENT

## Exhibit A

<b>EXISTING ZONING</b>	<b>UDC ZONING</b>
Ag (Agricultural)	Ag (Agricultural)
R-1 (Single Family Residential)	R-1 (Single Family Residential)
R-1A (Single Family Residential)	R-1A (Single Family Residential)
R-1B (Single Family Residential)	R-1B (Single Family Residential)
R-2 (Two-Family Residential)	R-2 (Two-Family Residential)
R-3 (Multiple Family Residential)	R-3 (Multiple Family Residential)
	<b>R-3A (Apartment Community Residential)</b>
	<b>PR (Parks, Recreation and Public Use)</b>
C-1 (Neighborhood Commercial)	C-1 (Neighborhood Commercial)
C-2 (General Commercial)	C-2 (General Commercial)
C-3 (Central Commercial)	C-3 (Central Commercial)
C-4 (Office and Institutional)	<b>PO (Professional Office)</b>
I-1 (Light Industrial)	M-1 (Light Industrial)
I-2 (General Industrial)	M-2 (General Industrial)
BP (Business Park)	BP (Business Park)
BP-R (Business Park- Restricted)	BP-R (Business Park- Restricted)

SPECIAL USE PERMIT

215 LOCUST HILL ROAD

**CITY OF BELTON  
PLANNING COMMISSION  
SPECIAL MEETING – CITY COUNCIL ROOM  
CITY HALL ANNEX, 520 MAIN STREET  
MONDAY, SEPTEMBER 20, 2010 – 7:00 P.M.**

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*STAFF REPORT: Robert G. Cooper, City Planner*

**CASE #SUP10-13**

***Request:*** Special-Use-Permit to allow a Communications Tower in a I-1 (Light Industrial) District) increase in height from 60-ft. to 90-ft.

***Location:*** The south side of Locust Hill Road, just west of the Quik N Tasty facility. The street address is 215 Locust Hill Road.

***Owner / Applicant:*** KCP&L Greater Missouri Operations Company (owner/applicant)

***Size of Site:*** 269,201-sq. ft. / 6.18-acre

***Existing Zoning / Land Use:*** I-1 / Light Industrial

***Proposed Use:*** Install a 90-ft. mono-pole communications tower

***Surrounding Zoning / Land Use:***

North: R-3 / South Fork MHP  
East: I-1P / Quik N Tasty facility  
South: I-1P / Vacant Land  
West: I-1 / Light Industrial facilities

***Comprehensive Plan:*** Industrial



### **Nature of Current Request**

The applicant (KCP&L) met with Planning Department staff to review a conceptual site plan for a new 90-ft. mono-pole communications tower to be constructed on-site at the KCP&L facility located at 215 Locust Hill Road. The proposed 90-ft. mono-pole will replace the existing 60-ft. tower, which will be used to extend internal wireless microwave communication systems.

These systems support private telephone and data services from their main microwave system to their district offices. It will also extend their internal digital telecommunication systems into their main service facilities and improve their telecommunication capabilities. By improving their internal communications to their service centers, they are able to better service their customers and respond to daily service requirements and emergency situations.

### **Legal Consideration**

Pursuant to Section 7-8 / Belton Municipal Code – Telecommunication tower and antennas; the following criteria shall be used during a special use permit review:

- a) height and setback limitations,
- b) aesthetics,
- c) lighting,
- d) landscaping

## STAFF REPORT

### Height and Setback Limitations

- a) City code requires that a tower must be set back a distance equal to one and one-half (1½) times the height of the tower from any residential zoning district;
- b) Towers and accessory facilities must satisfy the minimum zoning district setback requirements; and
- c) Tower shall be restricted to mono-pole design. No guy wires or anchor supports shall be permitted.

The proposed tower will be 90-ft. in height, a total increase of 30-ft. in comparison to the existing tower. Due to the proximity of the South Fork Mobile Home Park which is zoned residential, the proposed tower must be setback at least 135-ft. Based upon the applicant's site plan, the new tower will be set back approximately 222-ft. from the adjoining north property and zoning district line. The location of the tower will also allow it to meet the minimum side yard setback requirement of 5-ft. The proposed site plan indicates the tower will be setback 30-ft. east of the driveway and a total of 95-ft. from the side (west) property line.

The proposed tower will also be designed as a mono-pole without the need for guy wires.

### Aesthetics

- a) City code requires that facilities and towers should be architecturally compatible with surrounding buildings and land uses or otherwise integrated, through location and design;
- b) Towers mounted on the side of a building or structure shall be painted to match the color of the building or structure.
- c) Every effort should be made to provide effective visual mitigation.

The proposed tower will be flushed along the exterior building wall and surrounded either by evergreen hedges and a utility power box, limiting ground-level visibility. Based upon photographs submitted by the applicant, the existing tower was painted a matching color of the existing building - an obvious measure taken to help mitigate visual pollution and be architecturally compatible with surrounding buildings.

### Lighting

- a) City code requires communication towers to be illuminated as required by the FCC and/or FAA. Security lighting around the base of the tower may be allowed if the lighting is shielded so that no light is directed towards adjacent properties or rights-of-way.

Currently, the only security lighting provided will be from the stand-alone parking lot light poles. The applicant has not provided any details or information on any additional exterior security lighting.

### Landscaping

- a) City code requires tower facilities to be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from adjacent property;
- b) The standard buffer shall consist of a landscaped strip at least four (4) feet wide outside the perimeter of the compound.

Currently, there is a landscaped buffer around the existing mono-pole site. It consists of decorative landscaping rock and evergreen shrubs.

### Staff Recommendation

The Planning Department recommends approval with the following condition(s):

1. The applicant shall apply for and obtain a building permit prior to the construction of the mono-pole.
2. The applicant shall obtain all other necessary permits as required by State and Federal regulations.

### 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 7-8(d)(1) of the Belton Code have been satisfied.
2. Approve the application subject to specified condition(s).
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.





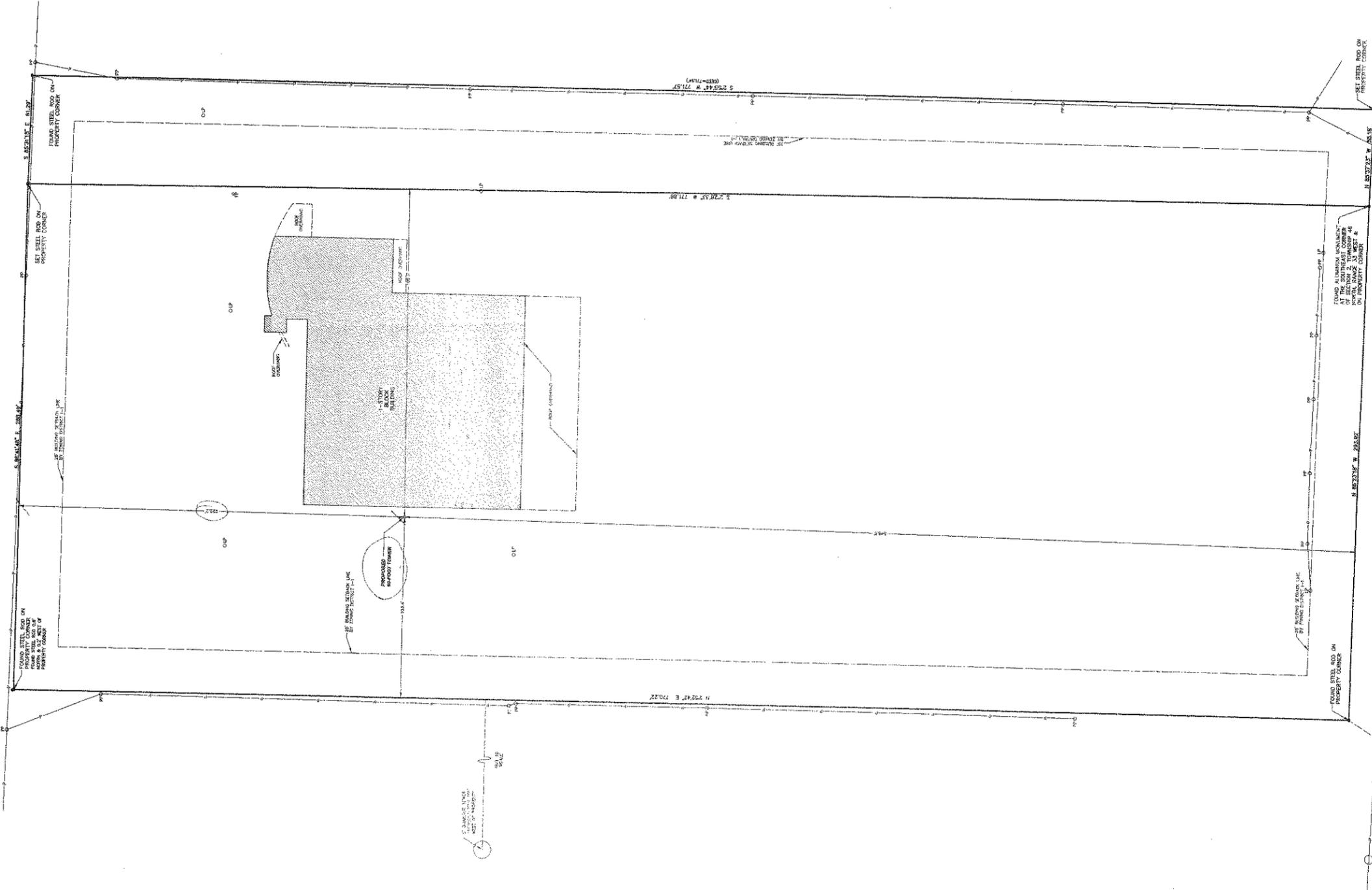




LOCUST HILL RD

LOCUST HILL CIR

14-46-33  
10-10-41000-1  
4/10/1988



**PROPERTY DESCRIPTION:**  
THE PROPERTY SHOWN HEREON WAS TAKEN FROM A MISSOURI PLAT OF SURVEY RECORDED IN PLAT BOOK NO. 1008 RECORDED IN BOOK 1008 AT PAGE 60.

**ZONING INFORMATION:**  
THE PROPERTY SHOWN HEREON IS ZONED I-1, LIGHT INDUSTRIAL.



THE MEASURING SYSTEM SHOWN HEREON IS BASED ON THE MISSOURI COORDINATE SYSTEM OF 1983, WEST ZONE

SCALE 1 INCH = 20 FEET  
SCALE IN FEET

FILE COPY

RECEIVED AUG 20 2010

DATE	10-10-41000-1
BY	PAUL MAURIN
FOR	MR. PAUL MAURIN

**PLOT PLAN**

THIS IS TO CERTIFY THAT THIS SURVEY WAS EXECUTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE MISSOURI PLAT ACT AND THE MISSOURI SURVEYING ACT AND THE SURVEYOR HAS BEEN LICENSED BY THE BOARD OF SURVEYING AND LAND SURVEYING PROFESSIONALS.

DATE: AUGUST 2, 2010  
FOR: MR. PAUL MAURIN  
KANSAS CITY, MISSOURI 64120-1039

ATTN: MR. PAUL MAURIN

**ANDERSON**  
SURVEY COMPANY  
203 N. W. BUCKINGHAM WAY  
KANSAS CITY, MISSOURI 64108  
816.246.6089

10-10-41000-1  
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4/10/1988