AGENDA
CITY OF BELTON
PLANNING COMMISSION MEETING
MONDAY, OCTOBER 18, 2010 - 7:00 P.M.
CITY HALL ANNEX, 520 MAIN STREET

I. CALL MEETING TO ORDER

II. ROLL CALL

III. APPROVAL OF THE MINUTES OF THE OCTOBER 4, 2010 PLANNING COMMISSION MEETING

IV. PRESENTATION
   A. Community Development Director will present a proposed plan for the development of a Future Land Use Map.

V. DIRECTOR'S REPORT

VI. NEXT MEETING DATE: November 1, 2010

VII. ADJOURNMENT

MEETING MINUTES

OCTOBER 4, 2010

Minutes of Meeting
Belton Planning Commission
City Hall Annex, 520 Main
October 4, 2010

CALL TO ORDER
Vice-chairman Scott VonBehren called the meeting to order at 7 p.m.

ATTENDANCE

Commission:	Vice-chairman VonBehren, Councilman Bobby Davidson, Commissioners Sally Davila, Tim McDonough, Jeff Fletcher and Mike Van Eaton.
Staff:	Jay Leipzig, Community Development Director; Ed Ieans, City Engineer; Jason Webb, Fire Marshal; Robert Cooper, City Planner; and Ann Keeton, Community Development Secretary.
Absent:	Chairman Holly Girgin, Mayor Pro Tem Lathrop, and Commissioner Larry Thompson.

Vice-chairman VonBehren introduced and welcomed new commission member Mike Van Eaton.

MINUTES
Commissioner Davila moved to approve the minutes of the September 20, 2010 Planning Commission meeting. The motion was seconded by Commissioner Fletcher. All members present voted in favor and the motion carried.

PUBLIC HEARING – Special Use Permit 300 N. Scott
Vice-chairman VonBehren opened the public hearing at 7:02 p.m. This hearing was being held to received public input regarding a special use permit (SUP) application for a vehicle sales lot at 300 N. Scott.

Jalal Zakeri, property owner of 300 N. Scott, spoke in favor of the application submitted by Hamid Zabet. Mr. Zakeri is currently operating a car lot at this site but will be going to school and does not have the time to operate the business. He would like to share the building with Hamid Zabet who is also licensed to sell cars. The number of cars for sale will remain the same according to Mr. Zakeri.

There was no further input so Vice-chairman VonBehren closed the public hearing at 7:04 p.m.

Staff Report: Mr. Cooper presented the staff report and he gave details about the location, lot size, surrounding land use and a brief history of the site at 300 N. Scott. He explained how the property was reduced in size during the North Scott widening project in 1997. During a site inspection for a business license application there were several items noted that needed correction, but those corrections were made and the license was issued in 2007.

Mr. Cooper called attention to what he categorized as public safety issues associated with the site. Cars parked on the southeast corner of the lot within the sight triangle create a visibility hazard at the intersection according to Mr. Cooper. He stated there is an ordinance prohibiting cars from

being located in the site triangle. The available off-street parking, parking aisle size and access issues were mentioned by Mr. Cooper. He voiced concerns about the narrow driving aisle and use of the railroad right-of-way to allow enough room for parking in the south parking area. Mr. Cooper stated that staff recommends denial of the SUP due to the inadequate driving aisle width which creates a traffic safety hazard. He proposed six conditions of approval if the commission wishes to grant the SUP. Mr. Webb pointed out that an existing fire hydrant north of the intersection is often obstructed and he suggested that one of the conditions of approval require that the hydrant be left unobstructed.

COMMISSION DISCUSSION

Councilman Davidson expressed support of conditional approval of the SUP and added he would not like to see the building sitting empty. There was dialogue about limiting the total number of cars for sale to six and the applicant indicated he could not operate successfully with only six cars for sale. Mr. Cooper told commission members the formula used to calculate the number of required parking spaces for the business based on square footage of floor area. He went on to say this site was not initially designed to be a used car lot so there will be parking issues. Councilman Davidson conveyed a wish to negotiate and work out issues to the satisfaction of both parties. The applicant stated there are 28 striped parking stalls but they were thinking of keeping 15-18 cars on the lot for sale. He went on to describe the hardship that will be created if he is only allowed to keep six cars to sell. Vice-chairman VonBehren suggested the site plan review committee meet with the applicant to work out solutions to the various issues discussed at the meeting. **Councilman Davidson made a motion to table action on the SUP application for a vehicle sales lot at 300 N. Scott and to refer it to the Site Plan Review Committee for further consideration.** Commissioner McDonough seconded the motion. When a vote was taken, the following was recorded: Ayes: 6 – Vice-chairman VonBehren, Councilman Davidson, Commissioners Davila, McDonough, Fletcher and Van Eaton. Noes: none. Absent: 3 – Chairman Girgin, Mayor Pro Tem Lathrop and Commissioner Thompson. The motion carried.

CREST PLAZA 2ND PLAT – PRICE CHOPPER

Mr. Leipzig presented the next case for consideration which was the preliminary and final development plans and the preliminary and final plat for the first phase of Crest Plaza 2nd Plat – Price Chopper. Bret Sheffield with Caymus Real Estate, Arnie Tullock and Ken Johnson with Shafer, Kline & Warren gave a presentation on the proposed development project of which Price Chopper will be the anchor tenant.

Mr. Sheffield reported the project will have two phases. The first phase will be a Price Chopper grocery store along with the roads and parking lots. Phase two will include the inline shops and junior anchors, and three out lots. He pointed out various features on the development plans including location, access, service area, screened dock, and the Givan Avenue connection. Details about a temporary storm water detention site were given by Mr. Sheffield. The temporary site is located on adjacent property north of the project site and is to be replaced by a permanent storm water facility in the future.

Mr. Sheffield described the exterior building design elements and compared the design to the Raymore Price Chopper. He mentioned there will be an outdoor seating area adjacent to the indoor restaurant area. The easement for the detention area is in the process of being worked out but has

not been finalized yet according to Mr. Sheffield. There will be an interconnection with the property to the north.

Mr. Tullock went over the preliminary plat drawings with the Commission. He reported this project consists of six lots. An account of the original plat for Crest Plaza and the changes that have been made was presented by Mr. Tullock. Part of the project is in a streamway so a jurisdictional determination was done by the property owner. He said application has been made to the Corp of Engineers to allow a box culvert to be built to connect with Y Highway construction.

The final plat was presented by Mr. Tullock. He went over the specifics of the proposed infrastructure, and the stormwater plan which includes the Best Management Practice (BMP) features which will consist mainly of rain gardens. Mr. Sheffield roughly estimated the project will break ground in late fall or winter.

Mr. Cooper stated that staff would like to recommend approval of the preliminary and final development plans with the list of comments/conditions to be included in the motion. (attached). He also recommended approval of the preliminary and final plats for Crest Plaza 2nd Plat – Price Chopper.

COMMISSION DISCUSSION
Commissioner McDonough initiated a discussion about the proposed fence surrounding the trash compactor. He asked questions about the proposed staff condition of approval requiring a 6-ft. tall wooden fence to enclose the trash compactor rather than a 10-ft. tall solid block fence as was discussed at the site plan review committee meeting. Mr. Cooper stated the conditions listed are minimum City requirements and the developer is planning on exceeding the minimum standard. There was discussion about whether the planning commission can make recommendations of conditions, if those conditions were agreed upon by the developers and the city. Various fence heights were mentioned including: the Site Plan Review Committee's recommendation for the fence height was 10-ft., the development plan drawings shows the fence height as 8-ft., and the proposed staff condition states the minimum fence height to be 6-ft height. Mr. Leipzig suggested making a change on the plan notes for Item 21 to change the fence height to 10-ft. Mr. Tullock indicated the trash compactor screen wall enclosure shown in the development plans should be 10-ft. tall and the fence height was mislabeled. He went on to say the correction will be made on the final document and permit record will reflect the change. Commissioner McDonough recommended the change be made now, rather than leaving a loophole. **Councilman Davidson moved to recommend approval of the preliminary development plan for Crest Plaza 2nd Plat – Price Chopper with an amendment that the screen wall enclosure surrounding the trash compactor is to be a 10-ft. high block wall, and that all the recommendations/conditions (attached) proposed by staff must be complied with.** Commissioner McDonough questioned the reason a 10-ft. tall fence was not included in the staff conditions. Mr. Leipzig stated that staff will verify that the construction plans match the site development plan. The importance of including the wall height recommendation in the written conditions was stressed by Commissioner McDonough and Councilman Davidson. The motion was seconded by Commission Fletcher. When a vote was taken, the following was recorded: Ayes: 5 – Councilman Davidson, Commissioners Davila, McDonough, Fletcher and Van Eaton. Noes: none. Abstention: 1 – Vice-chairman VonBehren. Absent: Chairman Girgin, Mayor Pro Tem Lathrop, and Commissioner Thompson. The motion carried.

Councilman Davidson moved to recommend approval of the final development plan for Crest Plaza 2nd Plat – Price Chopper, with an amendment that the screen wall enclosure surrounding the trash compactor is to be a 10-ft. high block wall, and that all the recommendations/conditions (attached) proposed by staff be must complied with. The motion was seconded by Commission Fletcher. When a vote was taken, the following was recorded: Ayes: 5 – Councilman Davidson, Commissioners Davila, McDonough, Fletcher and Van Eaton. Noes: none. Abstention: 1 – Vice-chairman VonBehren. Absent: Chairman Girgin, Mayor Pro Tem Lathrop, and Commissioner Thompson. The motion carried.

Councilman Davidson moved to recommend approval of the Preliminary Plat for Crest Plaza 2nd Plat – Price Chopper. The motion was seconded by Commissioner Fletcher. When a vote was taken, the following was recorded: Ayes: 5 – Councilman Davidson, Commissioners Davila, McDonough, Fletcher and Van Eaton. Noes: none. Abstention: 1 – Vice-chairman VonBehren. Absent: Chairman Girgin, Mayor Pro Tem Lathrop, and Commissioner Thompson. The motion carried.

Councilman Davidson moved to recommend approval of the Final Plat for Crest Plaza 2nd Plat – Price Chopper. The motion was seconded by Commissioner Davila. The motion was seconded by Commissioner Fletcher. When a vote was taken, the following was recorded: Ayes: 5 – Councilman Davidson, Commissioners Davila, McDonough, Fletcher and Van Eaton. Noes: none. Abstention: 1 – Vice-chairman VonBehren. Absent: Chairman Girgin, Mayor Pro Tem Lathrop, and Commissioner Thompson. The motion carried.

DIRECTOR'S REPORT

Mr. Leipzig commented that after reviewing the discussion items, the notes in the development plan drawings and in the staff comments should both show the trash compactor screening wall as being 10-ft. tall.

Mr. Leipzig presented a revised zoning map with standardized colors for the various zoning districts. He reported this map will become effective on January 1, 2011, and will become the base for the future land use map.

The TIF Commission meeting for the Price Chopper project will be held on October 20, 2010.

ADJOURNMENT

Councilman Davidson moved to adjourn the meeting. Mr. Fletcher seconded the motion. All members present voted in favor, and the meeting adjourned at 8:03 p.m.

Ann Keeton
Community Development Secretary

ATTACHMENT

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of application(s) PDP10-16 and FDP10-16 for the preliminary and final development plans with the following condition(s):

Planning

1. The location and arrangement of structures, parking areas, walks, lighting and accessory facilities shall be compatible with the surrounding land uses, and any part of the commercial development not used for structures, parking and loading areas, or access ways shall be landscaped and all such elements shall be presented in a revised preliminary development plan.

2. If a revised preliminary development plan includes provisions for a common open space or recreational facilities to be owned and/or maintained by any entity other than a governmental authority, copies of the proposed articles of incorporation and by-laws of such entity shall be submitted.

3. All exterior ground-mounted and/or building mounted equipment including but not limited to mechanical equipment, utilities and banks of meters, shall be screened from public view with landscaping or with an architectural treatment compatible with the building architecture.

4. All roof-top equipment shall be screened from public view with an architectural treatment which is compatible with the building architecture.

5. All trash enclosures and compactors shall be screened from public view on at least three (3) sides with a gate, with a 6-ft. solid wood fence constructed of cedar, redwood, masonry or other compatible building material.

5. **AS AMENDED: All trash enclosures and compactors shall be screened from public view on at least three (3) sides with a gate, with a 10-ft. solid block wall.**

6. All assessable parking spaces shall comply with ADA/Accessibility Guidelines. Each accessible parking space shall be identified by a sign, mounted on a pole or other structure located 60-inches (5-ft) above ground measured from the bottom of the sign at the head of the parking stall.

7. A uniform sign plan is required and shall be submitted prior to final completion and occupancy.

8. A landscape plan shall be submitted and approved in accordance with the Zoning Ordinance.

9. Detailed drawings shall be provided for all 'rain-garden' facilities.

Engineering – The City of Belton Engineering Division has reviewed the preliminary and final development plans. Detailed comments will be provided after additional plans are submitted during the permitting process. These comments are based upon the current APWA (American Public Works Association), standards, city ordinances and subdivision regulations.

1. Provide three (3) valve clusters where waterlines intersect.

2. Individual water-meters will be needed for each building in Phase I, II, and III of Crest Plaza.

3. Provide a copy of easement documents for the off-site detention pond.

4. If less than 18-inches of separation between the sanitary and storm-sewer, RCB, then encase the sanitary sewer line.

5. Show how the outlet structure and pipes for the detention basin will flow into the rip rap area for the box-culvert.

6. Show all new easements on the plat map.

7. Place waterline on the eastside of the Price Chopper and retail shop ('A'). Place hydrant 'stub-out' lines on west side of Price Chopper and retail shop 'A'.

8. Provide a SWPPP booklet

9. Provide sediment and erosion control drawings for preliminary and final grading.

10. Provide separate improvement plans for public storm, water, and sanitary lines. These plans should have plan/profile sheets, quantities, detail sheets, etc.

11. Provide separate street improvement plans for Given Street. These plans should have plan/profile sheets, quantities, detail sheets, etc.

12. On sheet C105, check several places where the proposed grading contours do not connect with existing contours. For example, check along the retaining wall behind Price Chopper.

13. Provide copies of permission letters or permits from the Corp, of Engineers and FEMA for the extension of the 12 x 6 RCB.

14. Send plans to Gary Price at KCP&L for street light layout for Given Street.

15. Provide copies of permits from MoDOT for the driveway and drop-off lane at 58-Highway.

16. The water line on the north side of Given Street shall remain in place.

17. Show 10-year, 50-year and 100-year hydraulic grade line for the storm sewer pipe and detention basin.

18. Provide copies of the MDNR and City of Belton land disturbance permits.

19. An indemnification agreement shall be required for the waterline and pavement that are located behind the Price Chopper and Retail ('A') building.

20. Permit fees including traffic impact fee, sanitary impact fee, water-meter and tap fees, and the sewer tap fee will be applicable when structures are built on the lot.

<u>Fire Department</u>

1. All construction must comply with the provisions of the 2006 International Fire Code (IFC) (or code adopted at time of construction) and City of Belton local amendments and standards.
2. Comprehensive infrastructure construction plans shall be submitted for fire review and acceptance including, but not limited to:

a. Fire hydrants – existing and proposed.
b. Water mains – public and private.
c. Location of overhead utilities.
d. Location of exterior electric/gas appurtenances.

3. Exterior electric/gas appurtenances subject to vehicular impact will require vehicle impact protection in accordance with Section 312 of the IFC.
4. Documentation shall be provided of existing fire flow.
5. Fire flow shall be provided to each building in accordance with appendix B of the 2006 IFC.
6. All fire department access roads, including parking lots, shall be designed to support the imposed loads of fire apparatus and be provided with an all-weather driving surface in accordance with appendix D of the 2006 IFC.
7. Fire department access must be in place and maintained throughout construction. This includes coordination with off-site projects such as the "Y-Hwy" improvements.
8. Knox Box fire department access key boxes will be required at several locations throughout the development. Exact locations, types, and ordering information shall be coordinated with the Fire Prevention Bureau.
9. Separate fire protection permits will be required for each automatic fire sprinkler system, commercial kitchen hood suppression systems, or other fire protection systems installed.
10. Any blasting that takes place on the site requires a separate permit prior to commencement.
11. The design of any traffic calming measures (speed bumps/humps, etc.) proposed in the fire department access shall be approved by the fire prevention bureau prior to installation.
12. Fire hydrant spacing shall be in accordance with appendix C of the 2006 IFC.
13. Provisions shall be made to allow for the maintenance of fire protection water supplies during taps and cut-ins.

Required Revisions/Additions:

14. Show 2 – ¾" (minimum) conduits from nearest building to each backflow vault. 1 each for sump-pump power (to maintain the vault free of accumulation of water) and electronic monitoring of valves as required by the IFC.
15. The plans call for the extension of "Givans Avenue"; change final plat to reflect the correct spelling of "Givan Avenue".
16. Add an additional fire hydrant assembly on Givan Ave. in the vicinity of center access drive (that provides access to the front of the strip center).
17. Indicate location of all proposed fire department connections (FDC's).
18. The fire department access roadway along the back (east side) of the development will need to be marked as a "fire lane" in accordance with appendix D of the 2006 IFC along the east curb line.