

Minutes of Meeting
Belton Planning Commission
City Hall Annex, 520 Main Street
March 7, 2011

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 Tim McDonough, Jeff Fletcher, Mike Van Eaton, and Larry Thompson.

Staff: Jay Leipzig, Community Development Director; Robert Cooper, City Planner; and Ann Keeton, Community Development Secretary.

Absent: Chairman Holly Girgin and Commissioner Sally Davila

MINUTES

Mayor Pro Tem Lathrop moved to approve the minutes of the February 7, 2011 Planning Commission meeting. The motion was seconded by Commissioner Thompson. All members present voted in favor, and the motion carried.

PUBLIC HEARING

Vice Chairman VonBehren opened the public hearing at 7:04 p.m. The hearing was being held to receive public input regarding renewal of a Special Use Permit (SUP) to allow a used car dealership to continue to operate at 814 N. Scott.

Mr. Leipzig reported that staff has been working with the City attorney about ways to expedite the renewal process for SUP renewals. It was determined the Commission may grant a longer period of time until a review is required. If this SUP renewal is approved, staff is recommending a five-year renewal period.

Mr. Cooper reviewed details about Case #SUP09-20 to allow vehicle sales at 814 N. Scott, which was approved at a meeting on November 16, 2009. The majority of vehicle sales are carried out on the Internet, but there are approximately 15 cars for sale parked on the west side of the building. The applicant is the only business currently operating in the building according to Mr. Cooper. He told Commissioners the parking lot is in poor condition and said the lot must be repaired and the parking stalls striped again. Mr. Cooper recommended five conditions of approval if the Commission votes to approve the renewal of the SUP.

COMMISSION DISCUSSION

Commission members discussed delaying approval of the SUP renewal until the parking lot is repaired and striped. There was conversation about the five-year SUP renewal versus the one-year SUP renewal, and what action could be taken if there are code violations before the renewal

date. According to Mr. Leipzig if code issues develop, or the conditions of approval are not met prior to the renewal date, the City can begin the process to revoke the SUP.

The poor condition of the parking lot was talked about and Mr. Cooper indicated that some repairs were made to the parking lot last year before the business received an occupation license inspection. He said the parking lot appears to be the original lot. It was recommended that the following proposed condition, "Special Use Permit #09-20 is to be reviewed by the Planning Commission in five years to ensure compliance," should be reworded to say ". . . *in at least* five years. . ." An alternate suggestion was to have a formal review by the City Council in five years but to have a yearly review by the Planning Commission. There was discussion about the parking lot repairs and whether it is the responsibility of the building owner or the business owner to make those repairs.

Terry Eakins, owner of Van City, asked to speak to the Commission. Mr. Eakins stated that he understands the Commission's concern about the condition of the parking lot, but at the present time it is not possible to fix the lot. Mr. Eakins said it is only the back portion of the lot that is in disrepair and he is the only tenant left in the building. He reported the building is for sale and Mr. Eakins is investigating the possibility of buying the building. Mr. Eakins described the improvements that will be made to the building if he purchases the property; additionally he plans to move the cars to the front of the parking lot. Councilman Davidson stated he would like to withdraw his request that the parking lot be repaired and he recommended that a formal review be conducted in five years with a yearly review by the Planning Commission. In further discussion it was brought up that the SUP parking plan shown in Exhibit A in the agenda is for the sale cars to be parked in back of the building. Mr. Cooper said staff will work with Mr. Eakins to amend the parking plan and Mr. Leipzig recommended tabling discussion of the case until the next meeting.

There was no further input so Vice chairman VonBehren closed the public hearing at 7:26 p.m. **Councilman Davidson moved to continue further discussion of Case SUP#09-20 until the March 21, 2011, meeting.** Commissioner Fletcher seconded the motion. All members present voted in favor and the motion carried.

DISCUSSION – OFF-LEASH DOG PARK IN MARKEY PARK

Todd Spalding, Belton Park Director, presented an overview of a proposal for a 2.5-acre off-leash dog park on City owned property in the northwest corner of Markey Park. According to Mr. Spalding after a review of the City's current park system it was determined there is not enough undeveloped space to house a dog park. It was reported the proposed site is already fenced and is currently zoned for recreation use.

Mr. Spalding reported that the dog park would be the first step in expanding the park system. He stated that in a report from the Missouri Department of Natural Resources (DNR) it was shown the City of Belton falls short of the State recommended guidelines for developed parkland by 300 acres. Mr. Spalding pointed out features of the proposed dog park on a concept plan.

Other park sites were evaluated as potential areas for a dog park before concluding that the 2.5 acre area is the best location according to Mr. Spalding. Mayor Pro Tem Lathrop initiated a

discussion about the area being a prime spot for development and he suggested another location should be found for the off-leash dog park. Mr. Cooper identified the boundaries of the Business Park – Restricted (BP-R) zoning district on Markey Road, which he said begins to the west of the proposed park area. He went on to say Markey Park and the proposed dog park area are in the PR (Parks & Recreation) zoning district.

The Commission debated the merits of the property being parkland versus valuable development land. Mr. Cooper added that if the location were to be approved for an off-leash dog park, City staff will review the park department's site plan to ensure the quality of the park would not be a detriment to the neighboring BP-R zone. There was further conversation about postponing a decision relating to the property. Mr. Spalding indicated the property could be converted into a dog park in approximately two months but the park will work within the guidelines set forth by the Commission and City Council.

Mr. Spalding stressed the fact that an off-leash dog park, an outdoor pool, and more park space were items identified by the community as high priorities in pre-election survey results. Mr. Spalding stated there is \$25,000 set aside for an off-leash dog park. Councilman Davidson suggested waiting until some of the other park projects have been completed as a budgetary precaution before taking on this new project. It was reported by Mr. Spalding that the other unimproved areas of Markey Park are used for a tree farm, practice ball fields, and eventually will become a ball field complex. Consideration was given to proceeding with the dog park in Markey Park area now, with the possibility of utilizing the property in the future for a commercial development. The benefits of an off-leash dog park to dog owners were talked about. Mayor Pro Tem Lathrop voiced support for the off-leash dog park concept but suggested other location possibilities should be explored and more questions answered. **Commissioner McDonough moved to recommend approval of the conceptual design plan for an off-leash dog park to be located on 2.5 acres in Markey Park with a site plan to be reviewed at a future meeting.** Commissioner Van Eaton seconded the motion. When a vote was taken the following was recorded: Ayes: 4 – Commissioners McDonough, Fletcher, Van Eaton and Thompson. Noes: 3 – Chairman VonBehren, Mayor Pro Tem Lathrop, and Councilman Davidson. Absent: Chairman Girgin and Commissioner Davila. The motion carried.

DIRECTOR'S REPORT

Mr. Leipzig reported that staff will continue to work on the Future Land Use Map and should be completed with the Markey area by the time the site plan is brought forward for the dog park.

Downtown Belton Main Street, Inc. is holding a stakeholders meeting on March 31, 2011, at the Belton Presbyterian Church on Main Street. Anyone interested in the future of the downtown area is encouraged to attend.

There will be a contractors / developers open house on March 24, 2011, from 4 – 6 p.m. at the City Hall Annex.

The U.S. Census Bureau has announced the final numbers for the 2010 Census and they are reporting the City of Belton has a population of 23,116 which is a 6.4% increase from the 2000 census numbers.

Mr. Leipzig reported staff has received the public improvement documents for the Crossroads at Belton and he anticipates receiving construction drawings for Price Chopper in April.

ADJOURNMENT

Councilman Davidson moved to adjourn the meeting. Mayor Pro Tem Lathrop seconded the motion. All members present voted in favor and the meeting adjourned at 8 p.m.

Ann Keeton
Community Development Secretary