



**AGENDA
CITY OF BELTON
PLANNING COMMISSION MEETING
MONDAY, JULY 18, 2011 - 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 JUNE 20, 2011 PLANNING COMMISSION MEETING

- IV. PRESENTATION
 - A. Downtown Belton Main Street, Inc. – Chairman Art Ruiz

- V. PUBLIC HEARING
 - A. Consideration of a Special Use Permit to allow a Childcare Center to operate at 17122 Bel-Ray Place.

- VI. AGENDA ITEMS
 - A. Consideration of Site Plan approval for SP11-08, an off-leash dog park to be located on 3.0 acres in Markey Park.
 - B. Consideration of Amendments to Chapters 18, 19, 20, 22, 23 of the Unified Development Code.
 - C. Consideration of the City of Belton Future Land Use Map.

- VII. DIRECTOR’S REPORT

- VIII. NEXT MEETING DATE: August 1, 2011

- XI. ADJOURNMENT

MEETING MINUTES

JUNE 20, 2011

Minutes of Meeting
Belton Planning Commission
City Hall Annex, 520 Main Street
June 20, 2011

CALL TO ORDER

Chairman Holly Girgin called the meeting to order at 7 p.m.

ATTENDANCE

- Commission: Chairman Girgin, Mayor Pro Tem Gary Lathrop, Councilman Bobby Davidson, Commissioners Tim McDonough, Jeff Fletcher, Scott VonBehren, and Larry Thompson.
- Staff: Brad Foster, Assistant City Manager; Jay Leipzig, Community Development Director; Jeff Fisher, Public Works Director; Robert Cooper, City Planner; and Ann Keeton, Community Development Secretary.
- Absent: Commissioners Sally Davila (family emergency) and Mike Van Eaton.

MINUTES

Commissioner Thompson moved to approve the minutes of the May 2, 2011, Planning Commission meeting. The motion was seconded by Commissioner VonBehren. All members present voted in favor and the motion carried.

CAPITAL IMPROVEMENT PLAN (CIP) PROCESS

Mr. Fisher gave a report about changes to the CIP adoption process. Several points made by Mr. Fisher included:

- Stressed the importance of the Capital Improvement Plan to the City.
- Provided definitions and the purpose of the CIP
- Essential that the process provides for input from the community
- State Statute requires Planning Commission involvement in CIP process
- The Commission will help evaluate and assist with the selection of projects
- Criteria will be established to be used when evaluating and scoring projects

The new CIP process will start in July and should be adopted by November 1, 2011, which will coincide with the beginning of the City's annual budget process. Mr. Foster emphasized the Planning Commission will become more involved in the selection and prioritization of projects.

Mr. Fisher told about the formation of the Public Works Committee, which he said will be an advisory committee to the City Council and the Planning Commission. He gave details about the types of support the committee will be called upon to provide.

SPECIAL USE PERMIT #11-05 – Communication Tower at 15918 Kentucky Road

Mr. Cooper reported this case was first presented to the Planning Commission at the April 18, 2011, meeting. At that time, the Commission recommended approval of the Special Use Permit (SUP) with conditions. One of the conditions required the applicants to place the tower in an

approved setback area on their property. The applicants have applied for an amendment to the conditions of approval according to Mr. Cooper. They are considering a change in the height of the tower from 50-ft. to 40-ft., and relocating the placement of the tower. City code requires that a tower must be set back at least four times the height of the tower from any residential structure. The applicants would like to locate the tower 80-ft. from their residence. Mr. Cooper reported that staff would recommend approving the amendment to SUP#11-05 to allow a change in tower height, and require the applicant to apply for a setback variance with the Board of Zoning Adjustment.

Patty Morlok, 15918 Kentucky, stated she found out at the last meeting there will be a 200-ft. setback requirement. When the company (KcWeb) came out to check that location, they advised the tower would not work in the approved setback area due to a drop in elevation. She went on to explain that a KcWeb representative selected a site which is 80-ft. from the house, as the best location for the tower. That site is in a direct line to the KcWeb receiving station. Ms. Morlok indicated she just found out that she will have to apply for a variance.

Councilman Davidson moved to recommend approval of an amendment to SUP#11-05 to allow a reduction in height of the communication tower from 50-ft. to 40-ft. and recommending the applicant apply for a variance to the setback requirement from 160-ft. to 80-ft with the Board of Zoning Adjustment. Commissioner Thompson seconded the motion. When a vote was taken, the following was recorded: Ayes: 5 – Mayor Pro Tem Lathrop, Councilman Davidson, Commissioners McDonough, VonBehren and Thompson. Noes: none. Abstain: 2 - Chairman Girgin and Commissioner Fletcher. Absent: 2 – Commissioners Davila and Van Eaton. The motion carried.

SITE PLAN FOR OFF-LEASH DOG PARK IN MARKEY PARK

Mr. Leipzig reported a general concept plan of the off-leash dog park was reviewed by the Commission in March. When staff examined the project, it was discovered some documents are needed to complete the review and those are a landscape plan, exterior lighting plan, and description of building improvements. Since additional details are pending, staff recommended the site plan discussion be continued to a future Commission meeting.

In the agenda staff report, it was mentioned the “general consensus” of the Commission during the March meeting was that the dog park concept is a “good idea, bad location.” Commissioner McDonough disagreed there was a “consensus” of Commission members who thought the proposed dog park is in a bad location. **Councilman Davidson moved to postpone discussion of the dog park site plan pending additional information as recommended by staff.** The motion was seconded by Mayor Pro Tem Lathrop. When a vote was taken, the following was recorded: Ayes: 7 – Chairman Girgin, Mayor Pro Tem Lathrop, Councilman Davidson, Commissioners McDonough, Fletcher, VonBehren, and Thompson. Noes: none. Absent: Commissioners Davila and Van Eaton. The motion carried.

FUTURE LAND USE MAP

Mr. Leipzig reported staff has been working on an update to the future land use map. This map will be a 30-year land use map which can be changed, but will serve as a guide to the City’s growth according to Mr. Leipzig. A draft map will be presented to the Commission at the July 18

meeting. There will be a series of public meetings starting in September and final approval should be in October 2011. Staff met with the school district officials to receive their input regarding future growth.

DIRECTOR'S REPORT

At the July 18 meeting, draft amendments to the Unified Development Code (UDC) will be presented to the Commission.

Mr. Leipzig stated building activity in the City has increased and he reported:

- Staff has finished a review of the Price Chopper building plans
- CVS has submitted plans for a pharmacy expansion
- Sears in moving to a new location and staff received plans for a tenant finish
- Jo-ann Fabrics & Crafts is opening a store in the City of Belton
- Research Belton Hospital is planning a major expansion project

Because of damage from a recent storm, it was reported the mayor arranged for Belton citizens to be able to dispose of downed limbs from their property at no charge.

ADJOURNMENT

Mayor Pro Tem Lathrop moved to adjourn the meeting. The motion was seconded by Councilman Davidson. All members present voted in favor, and the meeting adjourned at 7:33 p.m.

Ann Keeton
Community Development Secretary

DOWNTOWN BELTON
MAIN STREET, INC.

OFF-LEASH DOG PARK

OFF-LEASH DOG PARK / SITE PLAN REVIEW

BELTON PLANNING COMMISSION
MONDAY, JULY 18, 2011 – 7:00 P.M.
CITY HALL ANNEX, 520 MAIN STREET

Staff: Robert G. Cooper, City Planner

CASE # SP11-08 – CONTINUED FROM JUNE 15, 2011

Case #SP11-08 has been filed by Todd Spalding, on behalf of Belton Parks and Recreation Department, is requesting site plan approval, to allow the Belton Parks and Recreation Department construct a public off-leash dog park.

BACKGROUND

Mr. Spalding presented this item to the Planning Commission during their March 7, 2011 regular meeting as a discussion item only. The general concept and layout of the plan, i.e. location, land features, and amenities were discussed. The Commission had some concerns about the location of the dog park, specifically the proximity to the adjoining BP-R (Business Park Restricted) zoning district. During the June 15th, the Planning Commission meeting, the Commission voted to Table the application to allow the applicant to work with staff in gathering additional information on the type of landscaping and specific details on building improvements.

REVIEW

The subject site is part of the overall Markey Park complex, which currently includes a playground and ball-fields. However, the proposed site is located where a City of Belton Communications tower was previously located which has now been removed. As part of the request, if deemed appropriate, this site must be dedicated as park land by the City Council.

Landworks Studio, a landscape architecture firm was retained by the Parks Department to design a site development plan which was submitted to city staff for review.

Staff has reviewed the following key elements of the site development plan and offers the following comment(s):

Zoning: Ag (Agricultural) District (currently used as parkland).

Legal Description: Un-platted.

Site Dimensions: The tract is approximately 345-ft. x 385-ft. (132,825-sq. ft.) or 3.01 ac.

Intended Use: Dog-Park.

Future Land Use Map: The subject site is located in and part of the City's (PR) Park's and Recreation zone

Height & Dimension of Building: According to the applicant, the existing building will be repainted and reused as a storage building. No building additions or structural changes are proposed.

External Lighting: According to the applicant, no exterior lighting will be provided...park use will be during daylight hours only.

Fencing/Screening: The proposed development plan indicates the existing 6-ft. chain-link perimeter fence will remain in place...however, staff has requested, the top barbed-wire portion of the fence be removed.

Landscaping: The proposed development plan indicates landscaping will be provided, which includes thirty (30) shade trees; thirty-nine (39) evergreen trees; and one-hundred fifty (150) shrubs...a detailed, plant species list has been prepared by the City Forester. (See attachment)

Driveway: There is currently a gravel driveway which extends north/south along the east side of the property. The proposed site plan shows a gravel access drive connecting to a driveway approach from Markey Road. The gravel drive can not continue to remain in place due to the original driveway being removed and reconstructed to another location on the site. The changes that are reflected on the submitted site plan negate any legally non-conforming status of the gravel driveway.

Pursuant to the Unified Development Code, *"all parking spaces shall be paved with a sealed surface i.e. concrete or asphalt, in accordance with City specifications and maintained in a manner that no dust will result from continued use"*.

Designated Parking Area: The site is located within a designated city park which already has adequate off-street parking. No additional off-street parking spaces would be required.

Pedestrian Sidewalk: The new concrete sidewalk leading up to the Dog Plaza area shall be constructed to the City's design standards and shall not be less than four feet (4') in width.

Fire Department: According to the Fire Marshall, the fire code requires fire department access to extend to within 150-ft. of all buildings. The distance may be increased as soon as the 'use' of the building is indentified.

Public Works: Erosion control measures need to be made, (i.e. silt fencing) are required to be in place prior to any grading work.

Conformance with Water and Sanitary Sewer Master Plans: The proposed Dog Park is consistent with the City Street Master Plan. The proposed fence location does not interfere with the proposed future Markey Road widening project.

NOTE: The site shall be specifically identified and dedicated as a 'Dog Park', as a Resolution by the City Council.

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PLANNING COMMISSION ACTION

1. Motion to recommend *approval* of the site plan as submitted, to construct an off-leash dog park, to be located on a 3.0-acre tract of land adjacent to Markey Park.
2. Motion to recommend *denial* of the site plan as submitted, to construct an off-leash dog park, to be located on a 3.0-acre tract of land adjacent to Markey Park.

3. Motion to recommend approval with conditions of the site plan as submitted, to construct an off-leash dog park, to be located on a 3.0-acre tract of land adjacent to Markey Park.
4. Motion to continue the case pending additional information.

ATTACHMENTS

1. Site Plan / Exhibit 'A'
2. Aerial Photo / Exhibit 'B'

July 14,2011

Robert Cooper

Items requested

-The existing building will be cleaned and painted.

-Barbed wire on top of the fence will be removed

- The plans call for 30 Shade trees
39 evergreen trees
150 shrubs

See attached

This is all that was discussed at the Tuesday meeting with you.

Thank you
Ted Lange

30 shade trees

4 greenvase zelkova
2 American hornbeam
10 red maple
5 yellow wood
9 ash

39 evergreen

8 long leaf pine
4 spruce, norway
8 white pine
15 eastern red cedar

150 shrubs

45 viburnum
45 abellia
45 witch hazel
15 nine bark

**CASE #SP11-08 / OFF-LEASH DOG-PARK
EXHIBIT 'B' / AERIAL MAP**



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38°49'47.32" N 94°33'05.86" W elev 334 m

UDC AMENDMENTS



**CITY OF BELTON
COMMUNITY DEVELOPMENT DEPARTMENT
INTERDEPARTMENTAL CORRESPONDENCE**

Date: July 18, 2011

To: Planning Commission
Jay Leipzig, Director of Community Planning & Development

From: Robert Cooper, City Planner

Cc: Shannon Marcano, Assist. City Attorney

Subject: **PROPOSED ADMINISTRATIVE CHANGES TO THE UNIFIED DEVELOPMENT CODE.**

As you are aware, during the past few months, staff has been making minor formatting and wording changes to the Unified Development Code. The proposed changes have been reviewed by the City Attorney, and are necessary to provide clarity, or to assist in the understanding of the document and scope. The amended Chapters and an overview of the changes are provided below:

Chapter 18 / Signs: Includes language that requires a design professional to submit a sign application.

Chapter 19 / Performance Standards: Includes language which provides an exemption of a boundary survey for new fences under certain condition.

Chapter 20 / Sub-division Regulations: All changes in this chapter are formatting related. Also includes sections which were reviewed previously by the City Council in previous drafts, but were inadvertently not included in the final adopted copy.

Chapter 22 / Land Use Applications and Procedures: All changes are formatting and grammar related.

Chapter 23 / Administration and Enforcement: All changes are formatting and grammar related.

These items will be introduced during the July 18, 2011 Planning Commission meeting. If the Planning Commission deems the changes as appropriate, there will be a Public Hearing before this body on August 1, 2011. If any Planning Commission members would like to receive a hard copy of the amended Chapters, please let staff know and we will provide those to you.

FUTURE LAND USE MAP