



**AGENDA
CITY OF BELTON
PLANNING COMMISSION MEETING
MONDAY, FEBRUARY 1, 2010 - 7:00 P.M.
BELTON CITY HALL ANNEX, 520 MAIN STREET**

- I. CALL MEETING TO ORDER

- II. ROLL CALL

- III. APPROVAL OF THE MINUTES OF THE JANUARY 25, 2010 SPECIAL PLANNING COMMISSION MEETING

- IV. PRESENTATION BY CITY ENGINEER
 - A. Presentation by City Engineer on Proposed Sediment and Erosion Control Regulations

- V. DIRECTOR'S REPORT

- VI. NEXT MEETING DATE: MARCH 1, 2010

- VII. ADJOURNMENT

Special Meeting Minutes

January 25, 2010

Minutes of Special Meeting
Belton Planning Commission
City Hall Annex – 520 Main Street
January 25, 2010

CALL TO ORDER

Vice-chairman Holly Girgin called the meeting to order at 7 p.m.

ATTENDANCE

Commission: Vice-chairman Girgin, Mayor Pro Tem Gary Lathrop, Councilman Bobby Davidson, Commissioners Sally Davila, Tim McDonough, Scott VonBehren (arrived 7:22 p.m.), Roger Horne, and Larry Thompson.

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

Absent: Commissioner Jeff Fletcher

PRESENTATION

Vice-chairman Girgin recognized former commissioner, Chairman Paul Myers, for his years of service on the Planning Commission. She expressed the Commission's gratitude and thanks for Chairman Myer's commitment to serving the Belton Citizens, and how he will be missed by Commission members. Former Chairman Myers thanked Commission members. He went on to say he enjoyed serving on the Planning Commission and asked the Commission members to continue to work hard to serve the community. Chairman Myers stated that he has served on other Commissions, but "nothing compares to working with this Commission," and he voiced his thanks once again.

MINUTES

Commissioner Horne moved to approve the minutes of the December 21, 2009, Planning Commission meeting. Commissioner Thompson seconded the motion. All members voted in favor and the motion carried.

ELECTION OF INTERIM OFFICERS

Vice-chairman Girgin called for an election of interim officers. She announced the offices will be filled permanently at the annual August meeting. **Mayor Pro Tem Lathrop moved to elect Vice-chairman Holly Girgin as interim chairman.** Councilman Davidson seconded the motion. There were no further nominations and Commissioner Horne moved the nominations be closed by acclamation. Councilman Davidson seconded the motion to close. When a vote was taken, the following was recorded: Ayes: 7 – Mayor Pro Tem Lathrop, Councilman Davidson, Commissioners Davila, McDonough, Horne, Thompson, and Vice-chairman Girgin. Noes: none. Absent: 2 - Commissioners VonBehren and Fletcher. The motion carried and Holly Girgin was elected interim chairman of the Planning Commission.

Councilman Davidson moved to elect Commissioner Scott VonBehren as interim vice-chairman of the Planning Commission. The motion was seconded by Commissioner

McDonough. When a vote was taken, the following was recorded: Ayes: 7 - Chairman Girgin, Mayor Pro Tem Lathrop, Councilman Davidson, Commissioners Davila, McDonough, Horne and Thompson. Noes: none. Absent: 2 - Commissioners VonBehren and Fletcher. The motion carried.

PUBLIC HEARING – CASE #SUP10-02

Chairman Girgin announced this case is to consider a special use permit (SUP) for a motorcycle sales lot to be located at 1208 – 1210 N. Scott.

Mr. Leipzig reported this case was originally heard by the Planning Commission on November 2, 2009. At that hearing, the Commission considered allowing a used motorcycle and car sales lot to operate on North Scott. At that meeting, the Commission voted to recommend approval of the SUP to the City Council. On November 24, 2009, the City Council heard the case, but the SUP application was not approved. Mr. Leipzig stated the SUP failed because of concerns about the addition of another used car sales lot along North Scott. The applicant, owner of RLB Services, LLC, addressed the City Council on December 22, 2009, and agreed to remove vehicle sales from his SUP request. He modified the SUP request to allow motorcycle sales only at 1208 – 1210 N. Scott. The Council was polled and they supported the change to the SUP request to allow motorcycle sales. According to Mr. Leipzig, the applicant is going through the SUP application process a second time. He went on to say the application is new, but the facts of the case are identical to those presented at the November 2, 2009, meeting.

Mr. Cooper reported the facts of the case remain the same, but there is an additional staff recommended condition of approval. That condition is, “The display area shall consist of motorcycle sales only.” The applicant has agreed to this proposed condition according to Mr. Cooper.

It was noted by Mr. Cooper that the original owner of the building on North Scott applied for a building permit in 2003, but the building never received a final inspection. He listed several items that must be completed before a certificate of occupancy can be issued. Those items were: 1) the completion of the parking and drive area; 2) landscaping; 3) railing along outside stairs; and 4) interior heating system - separate the garage return air, from the upstairs showroom area.

COMMISSION DISCUSSION & PUBLIC HEARING

Commissioner Horne moved to recommend approval of SUP10-02 to allow a used motorcycle sales lot to operate at 1208-1210 N. Scott with the staff recommended conditions of approval which are:

- 1) No certificate of occupancy shall be issued for RLB Services, LLC until the site has a final inspection for compliance with the approved site development plan.**
- 2) The Special Use Permit will become valid once a certificate of occupancy has been issued for the building.**
- 3) The Special Use Permit shall be renewed by the Planning Commission in one year to ensure compliance.**
- 4) No material, supplies, or merchandise shall be stored outdoors.**
- 5) The display area shall consist of motorcycle sales only.**

Councilman Davidson seconded the motion. Mayor Pro Tem Lathrop asked for clarification of the fourth condition of approval regarding outdoor storage. It was made clear the display of motorcycles for sale during the day will be allowed.

Chairman Girgin opened the public hearing at 7:12 p.m. This hearing was being held to receive public input regarding a special use permit application to allow used motorcycle sales at 1208-1210 N. Scott.

As there was no public input, Chairman Girgin closed the hearing at 7:13 p.m.

Chairman Girgin then called for a vote on the motion. When the vote was taken, the following was recorded: Ayes: 7 – Chairman Girgin, Mayor Pro Tem Lathrop, Councilman Davidson, Commissioners Davila, McDonough, Horne and Thompson. Noes: none. Absent: 2 – Commissioners VonBehren and Fletcher. The motion carried.

Mr. Leipzig reminded the applicant this case will be heard by the City Council on Tuesday, January 26, 2010.

2009 YEAR IN REVIEW REPORT & 2010 PRIORITY ITEMS

Mr. Leipzig reported this agenda item provides basic Commission meeting statistics and a list of major accomplishments in 2009. Additionally, the report contains proposed issues and key projects for 2010. He highlighted the Unified Development Code (UDC) and the adoption of the International Property Maintenance Code (IPMC) as major ongoing key projects started in 2009 and to be completed in 2010.

The Capital Improvement Plan (CIP) review will be on the Commission agenda in March of 2010.

DIRECTOR REPORT

Mr. Leipzig reported he has had discussions with the City attorney regarding the Heart-n-Hand SUP application for property on Lillard Avenue. The Planning Commission Site Plan Review Committee will be convened to look at the application in detail and to endeavor to work through some of the issues associated with the SUP request and the neighbors' concerns.

The city engineer will be present at the February 1, 2010, Commission meeting to present a draft of an erosion control ordinance for discussion. He will follow up with a formal ordinance for consideration in March, 2010. There will not be a meeting on February 15, 2010, because that date is a City holiday.

Commission Davila asked Mr. Leipzig about the Belton Value Auto business on North Scott. The Commission previously had reviewed an SUP application for 604 N. Scott to allow a used car sales lot, and the application had been denied. It was pointed out by Commissioner Davila there are a large number of cars parked at the site. Mr. Leipzig explained the car sales business was denied, but the current tenant has been approved for an auto repair and detailing business. Commissioner Davila expressed concern about the appearance of the number of parked cars at that location. Mr. Cooper reported code enforcement will visit the business to determine if there

are any violations. He went on to say that staff has emphasized to business owners the importance of the repairs being conducted inside the building, not outside the building. It was reiterated by Mr. Cooper that code enforcement will check to make sure business owners are not selling cars or performing car repairs in the parking lot. Commissioner VonBehren arrived at 7:22 p.m.

It was reported by Commissioner Thompson the building owned by the Assembly of God Church and located by Sonic Drive-in, has a sign in the window advertising Heart-n-Hand Auto Sales. The sign has been posted in the window for two or three months according to Commissioner Thompson. Mr. Cooper stated the church was reminded by staff that the sign must be removed. It was mentioned that until recently, there have been some cars at the former church building being displayed for sale. Mr. Leipzig said that code enforcement will also look into this sign and car sales issue.

ADJOURNMENT

Commissioner Horne moved to adjourn the meeting. Commissioner VonBehren seconded the motion. All members present voted in favor of the motion and the meeting adjourned at 7:26 p.m.

Ann Keeton
Community Development Secretary