



**AGENDA
CITY OF BELTON
PLANNING COMMISSION
MEETING & PUBLIC HEARING
MONDAY, FEBRUARY 6, 2012 - 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 DECEMBER 5, 2011 PLANNING COMMISSION MEETING

IV. PUBLIC HEARINGS

A. Consideration of Special Use Permit Application to allow a Car Sales Business to operate at 310 N. Scott.

B. Consideration of a Special Use Permit Application to allow a Car Sales Business to operate at 305 E. North.

V. PRESENTATION

A. Review of 2011 Planning Commission Activities and Priority Items for 2012.

VI. DIRECTOR'S REPORT

VII. NEXT MEETING DATE: March 5, 2012

VIII. ADJOURNMENT

MEETING MINUTES

DECEMBER 5, 2011

**Minutes of Meeting
Belton Planning Commission
City Hall Annex, 520 Main Street
December 5, 2011**

CALL TO ORDER

Chairman Holly Girgin called the meeting to order at 7:00 p.m.

ATTENDANCE

Commission: Chairman Girgin, Mayor Pro Tem Gary Lathrop, Commissioners Sally Davila, Tim McDonough, Steven Chancellor, and Larry Thompson.

Staff: Jay Leipzig, Community Development Director; and Ann Keeton, Community Development Secretary.

Absent: Commissioners Jeff Fletcher and Mike Van Eaton

MINUTES

Commissioner Davila moved to approve the minutes of the November 21, 2011 meeting. Commissioner Thompson seconded the motion. All members present voted in favor, and the motion carried.

PUBLIC HEARINGS

Chairman Girgin introduced the first item of business which was consideration of approval of the resolution amending the City of Belton Comprehensive Plan to include the Future Land Use Map. Mr. Leipzig praised the benefits of the Future Land Use Map for future development in the city. He categorized the map as a guidebook for developers that will be reviewed and updated every five years.

Chairman Girgin opened the public hearing at 7:04 p.m. The hearing was held to receive public input on the resolution amending the Comprehensive Plan to include the Future Land Use Map. There was no public input so Chairman Girgin closed the public hearing at 7:04 p.m.

Commissioner McDonough moved to recommend approval of the resolution, and approving PC Resolution R12-05-11 amending the Comprehensive Plan to include the Future Land Use Map. Commissioner Thompson seconded the motion. When a vote was taken, the following was recorded: Ayes: 6 – Chairman Girgin, Mayor Pro Tem Lathrop, Commissioners Davila, McDonough, Chancellor, and Thompson. Noes: none. Absent: Councilman Davidson, Commissioners Fletcher and Van Eaton. The motion carried.

The next item on the agenda was consideration of the codification of the Unified Development Code (UDC). Mr. Leipzig gave a brief explanation of the proposed codification ordinance.

Chairman Girgin opened the public hearing at 7:06 p.m. This hearing was being held to receive public input regarding the codification of the Unified Development Code (UDC). There was no public input so Chairman Girgin closed the public hearing at 7:06 p.m.

Mayor Pro Tem Lathrop moved to recommend approval of the proposed Ordinance for the overall codification of the Unified Development Code. Commissioner Davila seconded the motion. When a vote was taken the following was recorded. Ayes: 6 – Chairman Girgin, Mayor Pro Tem Lathrop, Commissioners Davila, McDonough, Chancellor, and Thompson. Noes: none. Absent: Councilman Davidson, Commissioners Fletcher and Van Eaton. The motion carried.

DIRECTOR'S REPORT

Mr. Leipzig announced the action taken for the Future Land Use Map includes a resolution to be signed by the Planning Commission Chairman along with a resolution to be approved by the City Council.

There are no items scheduled for the December 19, 2011, Commission meeting so Mr. Leipzig recommended the meeting be canceled. He went on to explain the first and second Commission meetings in January are holidays so the next meeting will be Monday, February 6, 2012.

It was reported by Mr. Leipzig the Downtown Belton Main Street, Inc. Board will meet on Wednesday, December 14, 2011, and will talk about details of the design guidelines. He invited interested Commissioners to attend the board meeting.

During the first Commission meeting in February, Mr. Leipzig will present an overview of the Commission accomplishments in 2011 and key goals for 2012.

Mayor Pro Tem Lathrop expressed his appreciation to staff for their work on the Zoning/Future Land Use Maps, and Chairman Girgin complimented city leadership on the professional image being presented to business/developers.

ADJOURNMENT

Commissioner Thompson moved to adjourn the meeting. Mayor Pro Tem Lathrop seconded the motion. All members present voted in favor, and the meeting adjourned at 7:13 p.m.

Ann Keeton
Community Development Secretary

310 N. SCOTT

CAR SALES



**PLANNING COMMISSION REGULAR MEETING
CITY HALL ANNEX, CITY COUNCIL ROOM
520 MAIN STREET
MONDAY, FEBRUARY 6, 2012 – 7:00 P.M.**

STAFF: Robert G. Cooper, City Planner

CASE #SUP12-01

Request: Special Use Permit to allow a used car dealership to operate in a C-2 (General Commercial) District.

Location: The west side of N. Scott Avenue, just north of Carnegie Street. The street address is 310 N. Scott Avenue.

Legal Description: Unplatted

Owner / Applicant: Todd Earnshaw / Carl Mort & Joshua Hetherington ('Brand Used Auto Sales, LLC')

Size of Site: 125-ft. x 63-ft. (7,812-sq. ft.) / 0.18-acre

Sales Lot Surface Area: 62-ft. x 52-ft. (3,224-sq. ft.) / North side
50-ft. x 20-ft. (1,000-sq. ft.) / East side

Existing Zoning / Land Use: C-2 / Used Car Sales Lot

Proposed Use: Used Car Sales Lot

Surrounding Zoning / Land Use:

North: C-2 / General Commercial (Shirley's Cleaners)
East: C-2 / General Commercial (Vacant building)
South: C-2 / General Commercial (H&S Auto Sales)
West: R-2 / Duplex Housing & Railroad right-of-way

Comprehensive Plan: Commercial

Nature of Current Request

The applicant, has contacted the City to gather information on what requirements are needed to open a used car lot. Pursuant to Chapter 40-1 of the Unified Development Code, a special use permit is required for all 'new' used car lots located within a C-2 (General Commercial) zoning district. The applicant wishes to occupy the former site of 'Midwest Cars, Inc', located at 310 N. Scott Avenue.

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Figure 1

HISTORY

The building located at 310 N. Scott Avenue was originally built in 1968 with a gross floor area (gfa) of 2,110-sq. ft. Since then, this building has subsequently been used periodically as a commercial/retail site. In 1997, during the North Scott street improvement and widening project, approximately 10-ft. of property was taken from the site to accommodate the widening project, the results of which was a reduction in available front yard space.

STAFF REPORT

Welfare and Convenience of the Public

It appears, by permitting a used car lot in the proposed location, it would contribute greatly to an ongoing proliferation of used car lots along the North Scott corridor. It also appears there could be a negative affect on the welfare and convenience of the general public.

Injury to Surrounding Property

In the past, there have been encroachment and trespassing complaints from the abutting property owner, concerning the cars associated with used car lots. However, during the past year, city staff has not received any complaints nor has the city code enforcement officer had to issue any violation notices.

Domination of the Neighborhood

It appears, the proposed use as a used car sales lot will add to the predominance of that particular use within the neighborhood.

Off-Street Parking / Access

There is open parking on two sides of the building. The north parking area abuts Shirley's Cleaners. The other parking area is on the east side of the existing building facing N. Scott Avenue. According to the property survey, the north property line of 310 N. Scott is approximately 6-feet from the south wall of Shirley's Cleaners. Currently, there is a yellow painted strip along the north property line, which is significant to note, because in the past, cars have been parked up against the building wall of Shirley's Cleaners, raising the issues of damages and trespassing.

There is a single-point access from North Scott Avenue, which is the primary source of ingress/egress to the site, with a driveway approach of 24-feet.

The surface of the proposed parking area is in need of repair. The concrete surface is currently cracked and separated with grass and weeds growing throughout. City ordinance requires all driving surface areas to be properly maintained and free of all weeds and grass.

According to the physical limitations of the lot and parking stall configuration, staff has estimated a total of no more than eleven (11) outside display vehicles spaces and two (2) customer parking spaces.

Signage

The site has an existing wall sign cabinet. A separate permit is required for any new signage per Section 30-8 of the Unified Development Code.

ADA Parking

Pursuant to Section 26-8(2)(f), Unified Development Code, 'all accessible parking spaces must be identified by signs complying with the manual of Uniform Traffic Control Devices and the Department of Justice, Code of Federal Regulation 28 CFR, part 36, ADA Standards for Accessible Design....the sign must be vertically mounted on a post or wall, no more than five (5') feet from the space, include the wording: 'FINE - \$50 - \$300'.

NOTE: It was explained to the applicant that an Occupational License can not be approved until the Planning Commission approved the Special Use Permit and that no business activity can take place on site until final approval by the City Council.

Staff Recommendation

Should the Planning Commission wish to approve Special Use Permit12-01, to allow a used car sales lot to be located at 310 N. Scott Avenue, the following condition(s) shall apply:

1. No Certificate of Occupancy is issued for 'Brand Used Auto Sales, LLC', until the site has had a final inspection for compliance with Chapter 40-3(4)(a) of the Unified Development Code;
2. Special Use Permit12-01 shall be annually renewed and reviewed administratively barring any code violations and/or complaints.

3. The parking area shall be located on the north and east side of the building only and consist of no more than eleven (11) display vehicles and two (2) customer parking spaces.
4. No display vehicle shall obstruct visibility, or parked in a manner which would create a hazardous condition or encroach upon abutting properties.
5. No material, supplies, or merchandise shall be stored outdoors.
6. Wheel stop-blocks shall be placed along the north property line as indicated.

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 Chapter 40, Special Use Permits, of the Unified Development Code have been satisfied.
2. Approve the application subject to specified conditions.
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.

Attachments:

- 1) Site Plan

**CASE # SUP12-01 / 310 N. Scott Avenue
Used Car Sales**

North
Property Line
(P/L)

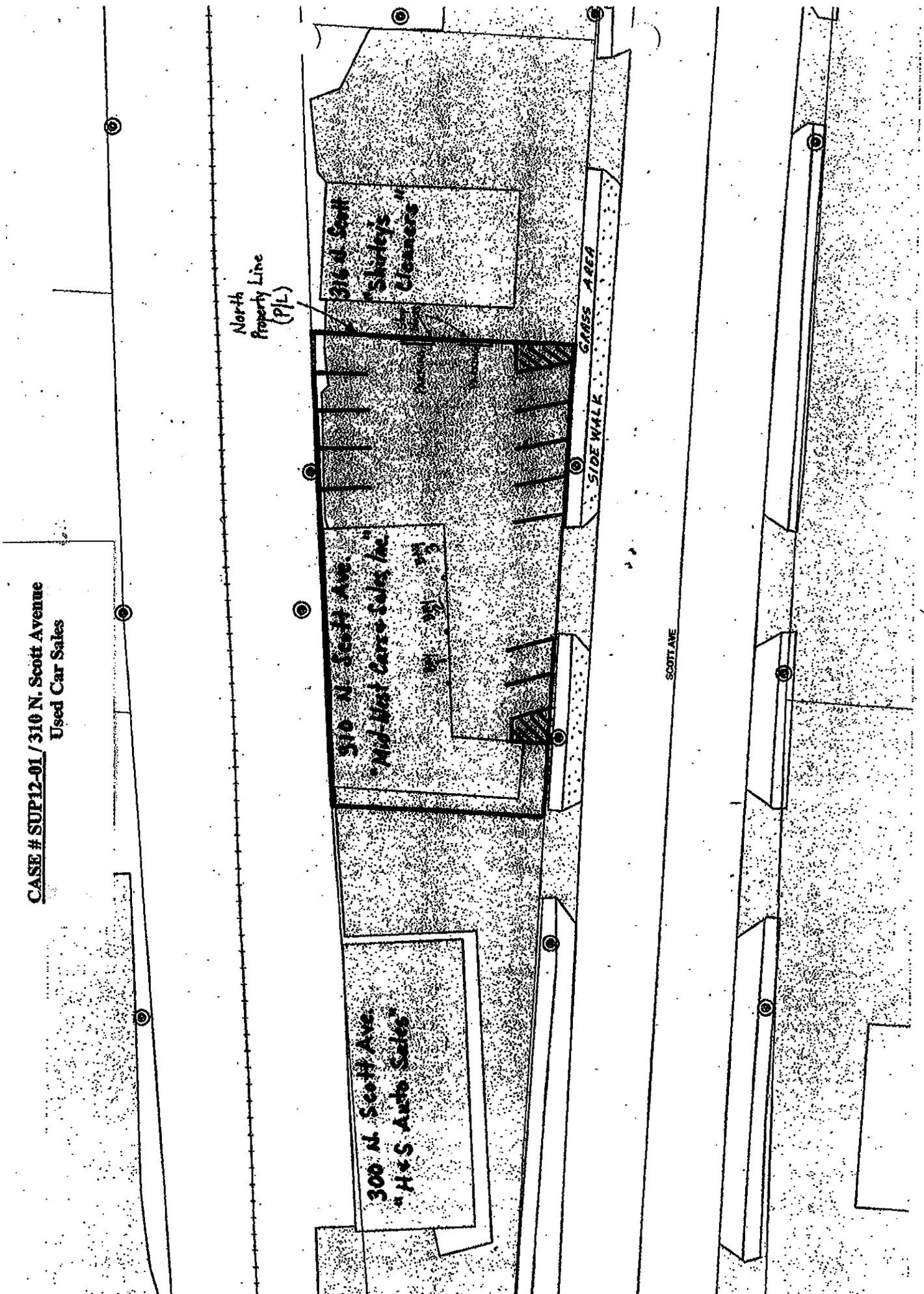
300 N. Scott Ave.
"H & S Auto Sales"

310 N. Scott Ave.
"Mid-West Car Sales, Inc."

316 N. Scott
"Shelley's
Cleaners"

SIDE WALK
GRASS AREA

SCOTTLAVE



305 E. NORTH

CAR SALES



**PLANNING COMMISSION REGULAR MEETING
CITY HALL ANNEX, CITY COUNCIL ROOM
520 MAIN STREET
MONDAY, FEBRUARY 6, 2012 – 7:00 P.M.**

STAFF: Robert G. Cooper, City Planner

CASE #SUP12-02

Request: Special Use Permit to allow a used car dealership to operate in a C-2 (General Commercial) District.

Location: The south side of E. North Avenue, just west of Walnut Street. The physical address is 305 E. North Avenue.

Legal Description: Original Belton, Block 3, Vacated C Street; Original Belton, Lot(s) 1-4, Block 13, Vacated C Street.

Owner / Applicant: Nabriel Ibrahim / ('C & S Sales')

Size of Site: 105-ft. x 115-ft. (12,075-sq. ft.) / 0.27-acre

Existing Zoning / Land Use: C-2 / Enterprise Car Rental

Proposed Use: Used Car Sales Lot

Surrounding Zoning / Land Use:

North: C-2 / General Commercial
East: C-2 / General Commercial
South: C-2 / General Commercial
West: C-2 / General Commercial

Comprehensive Plan: Commercial / Old Town Belton (OTB Overlay District)

Nature of Current Request

The applicant has contacted the City to gather information on what requirements are needed to open a used car lot. Pursuant to Chapter 40-1 of the Unified Development Code, a Special Use Permit is required for all 'new' used car lots located within a C-2 (General Commercial) zoning district. The applicant wishes to occupy the former Enterprise Car Rental building, located at 305 E. North Avenue.

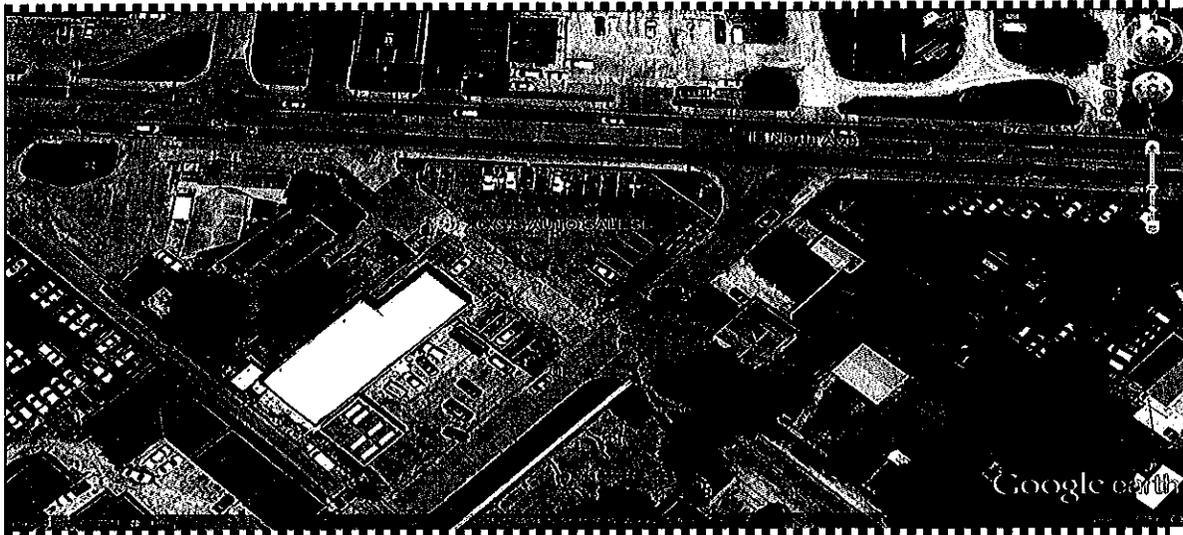


Figure 1

HISTORY

The showroom and sales building was originally built in 1950 with a gross floor area (gfa) of 5,280-sq. ft. with a 1,080-sq. ft. building addition for auto repair was completed in 1970. Since then, this building has subsequently been used periodically as a car retail site, most recently as an Enterprise car rental facility.

STAFF REPORT

Welfare and Convenience of the Public

It appears, by permitting a used car lot in the proposed location, it would contribute greatly to an ongoing propagation of used car lots along the E. North Avenue / N. Scott Avenue corridor. It also appears there could be a negative affect on the welfare and convenience of the general public.

Injury to Surrounding Property

It appears the proposed use will not have an adverse affect on the immediate surrounding or abutting properties due in part to the similarity in use and intensity.

Domination of the Neighborhood

It appears, the proposed use as a used car sales lot will add to the predominance of that particular use within the neighborhood.

Off-Street Parking / Access

There is open parking / display area in front of the building with approximately thirty-one (31) available parking spaces. Currently, there is just a single-point access from Walnut Street into the facility, which is the primary and only source of ingress/egress to the site, with a driveway

approach of least 24-feet in width. The site has restricted access from E. North Avenue as a means to control the traffic flow and mitigate potential traffic hazards. Currently, there are five (5) wheel stop-blocks along the west side property line near the former Benjamin's Liquor store entrance and four (4) additional stop-blocks located at the northeast corner of the site, adjacent to the E. North Ave. and Walnut St. intersection.

The surface of the parking area is in need of repair. The asphalt surface is currently cracked and separated with grass and weeds growing throughout. City ordinance requires all driving surface areas to be properly maintained and free of all weeds and grass. The existing painted parking stall stripping has faded, including the handicapped spaces.

Pursuant to Section 26-2, Unified Development Code, 'off-street parking ratio for auto sales is 1:1,000-sq. ft. which equates to a minimum of six (6) parking stalls for customer parking.

ADA Parking

Pursuant to Section 26-8(2)(f), Unified Development Code, 'all accessible parking spaces must be identified by signs complying with the manual of Uniform Traffic Control Devices and the Department of Justice, Code of Federal Regulation 28 CFR, part 36, ADA Standards for Accessible Design...the sign must be vertically mounted on a post or wall, no more than five (5') feet from the space, include the wording: 'FINE - \$50 - \$300'.

Signage

The site has an existing wall sign cabinet and an existing monument sign pedestal. A separate permit is required for any new signage per Section 30-8 of the Unified Development Code.

Landscaping

Pursuant to Section 22-3(b)(3), Unified Development Code, 'a minimum landscape strip at least six (6') feet wide must be provided along the length of the right-of-way...including one (1) shade tree per 40-linear feet along the portion of the parking area that abuts a public street.'

NOTE: It was explained to the applicant that an Occupational License can not be approved until the Planning Commission approved the Special Use Permit and that no business activity can take place on site until final approval by the City Council.

Staff Recommendation

Should the Planning Commission wish to approve Special Use Permit12-02, to allow a used car sales lot to be located at 305 E. North Avenue, the following condition(s) shall apply:

1. No Certificate of Occupancy is issued for 'C & S Auto Sales', until the site has had a final inspection for compliance with Chapter 40-3(4)(a) of the Unified Development Code;
2. Special Use Permit12-02 shall be annually renewed and reviewed administratively barring any code violations and/or complaints.
3. The parking area shall be located on the north side of the building only and consist of no more than thirty (30) display vehicles and six (6) customer parking spaces.

4. No display vehicle shall obstruct visibility, or parked in a manner which would create a hazardous condition; encroach upon abutting properties; or overhang street rights-of-way.
5. No material, supplies, or merchandise shall be stored outdoors.
6. Existing wheel stop-blocks shall remain in place.
7. Re-stripe all parking lot markings.
8. Plant one (1) shade tree along the Walnut Street landscape strip.

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 Chapter 40, Special Use Permits, of the Unified Development Code have been satisfied.
2. Approve the application subject to specified conditions.
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.

Attachments:

- 1) Site Plan

FILE COPY *Walmart Street*

RECEIVED JAN 13 2012

Entrance

Exit

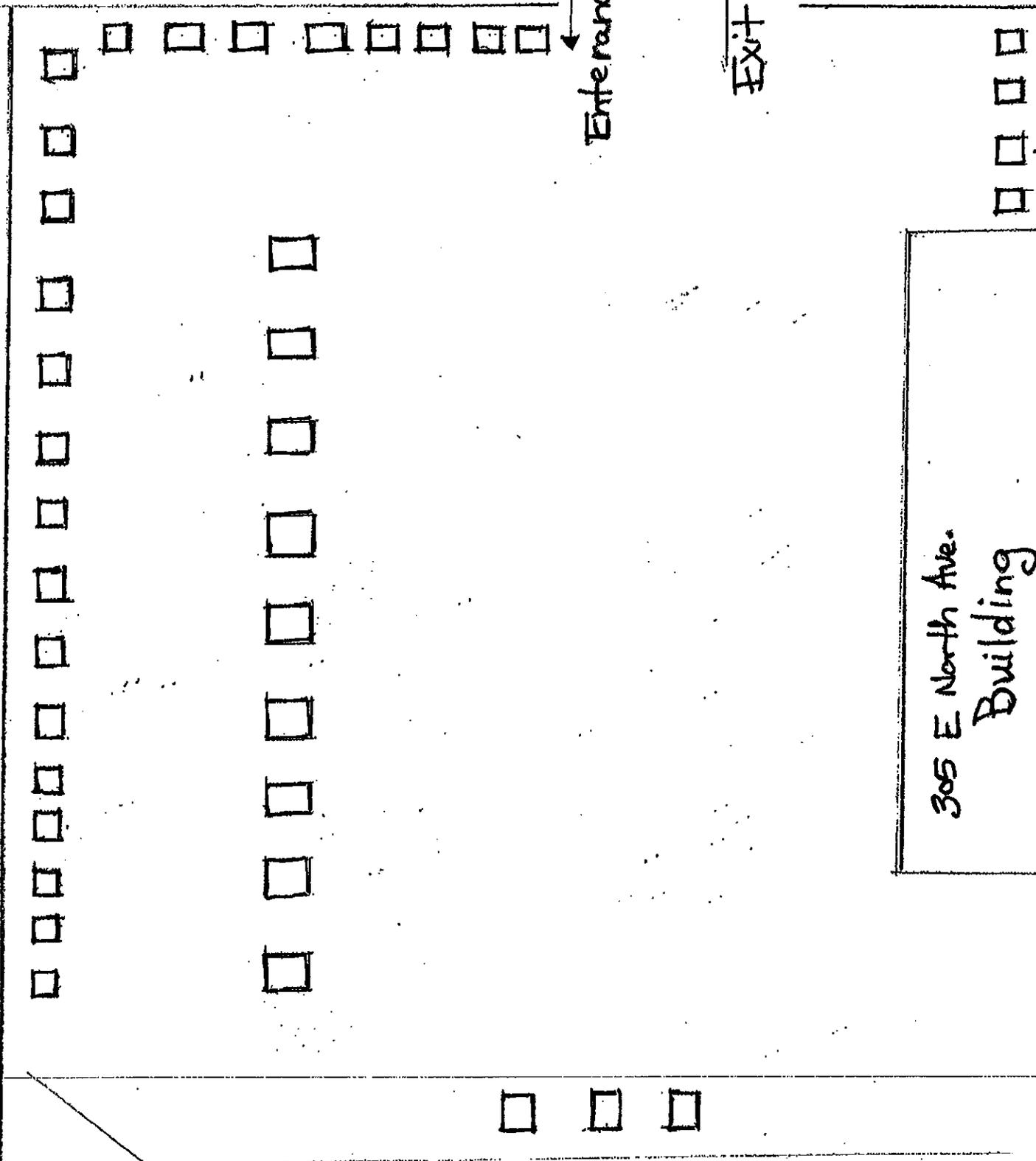
customer

305 E North Ave.
Building

58 Hwy.

□ - vehicles

NARS@sbcglobal.net



2011 REVIEW / 2012 PRIORITY ITEMS



COMMUNITY PLANNING & DEVELOPMENT
Jay C. Leipzig, AICP
Director

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MEMORANDUM

TO: Planning Commission Members

FROM: Jay Leipzig, AICP – Director of Community Planning & Development

DATE: February 6, 2011

RE: 2011 Year Review for Planning Commission Activities & Priority Items 2012.

The following report provides an overview of activities of the Planning Commission for the City of Belton, Missouri. The report below comprises three (3) components: 1) An overview of Basic Statistics of the Planning Commission; 2) List of Major Accomplishments in 2011; and 3) List of Proposed Issues and Key Projects in 2012. This document can be used as a summary guide to reflect upon the accomplishments of the past year, and also to provide a basic schedule of items that will be brought forward for review in 2012.

An overview of basic statistics of the Planning Commission

- The Commission met 13 times in 2010.
- Eleven meetings were cancelled due to no agenda items presented, or scheduling conflicts due to Holidays.
- The Commission reviewed and discussed 18 cases throughout the year.
- All 18 cases were recommended for approval to the City Council.
- Two (2) cases were recommended to be reviewed by the Site Plan Review Committee.
- The Commission held 12 Public Hearings for planning related items.
- The Commission reviewed six (6) Special Use Permit applications. Two (2) of those applications were for used vehicles sales.
- Ten amendments were recommended for approval to the City Council. These were general clean up items in regard to the Unified Development Code.
- There were two (2) re-zoning applications submitted.

- Scott Van Buren's seat was vacated due to him being appointed to the Park Board. Dr. Stephen Chancellor was appointed in his place.

List of Major Accomplishments in 2011 (In Chronological Order when originally discussed)

- Review and recommendation of approval for a Plat of Vacation for the Sunrise Gardens Subdivision.
- Review and recommendation of the Public Works Department Strategic Plan which includes a certification process and revised Capital Improvements Planning process.
- Review and recommendation of approval for a Special Use Permit for used vehicle sales at 814 N. Scott.
- Review and recommendation of approval for an Off leash Dog Park which was presented by the Belton Parks Department. This item was not approved by the City Council due to budget considerations.
- Review and approve a re-zoning application from Agricultural to R-3 PUD for a 151 acre tract of land adjacent to Holmes Road for the Camelot subdivision. This has not moved forward to the City Council pending budget discussions with the developer.
- Review and recommendation of approval for a Preliminary Development Plan for the Camelot Subdivision adjacent to Holmes Road.
- Review and recommendation of approval for a Special Use Permit application for a free standing wireless communications tower to be constructed at 15918 Kentucky Road.
- Review and recommendation of approval for text amendments to Chapters 18, 19, 20, 22 and 23 of the Unified Development Code.
- Review and recommendation of approval for text amendments to Chapters 10, 11, 12, 14 and 15 of the Unified Development Code.
- Consideration and approval for a Preliminary and Final Development Plan and Preliminary and Final Plat for Belton Research Hospital and a proposed Medical Office Building.
- Consideration and approval for a Preliminary and Final Plat for Charter Plaza on North Avenue.
- Consideration and approval of a Resolution for an Amendment to the Comprehensive Plan for an updated Future Land Use Map.
- The City Attorney conducted a joint training session with members of the Planning Commission and the Board of Zoning Adjustment to discuss potential legal problems of land use issues.
- Review and discussion of Downtown Design Guidelines for the Old Town Belton District.
- Review and discussion of a Complete Streets Resolution for the City of Belton.

- Consideration and approval of text amendments regarding the calculation of Arterial Street Impact Fees in the Unified Development Code.
- Consideration and approval of a Final Plat for a Dollar General Store on East North Avenue and Ella Street.
- Consideration and approval of projects to be included in the Capital Improvement Plan developed by the Public Works Department.
- Consideration and approval of an overall Codification Ordinance for the Unified Development Code developed by the Municipal Code Corporation.

List of Proposed Issues and Key Projects in 2012

The following proposed issues are recommended by staff. In addition to those items described below, there will be additional projects submitted by private developers. Private development projects include potential tax increment financing applications, zoning changes, lot-splits, plat revisions and preliminary / final development plans.

- Review and recommendation of approval for the Belton Capital Improvement Plan. (October 2012) This will coincide with the new process developed last year.
- Review and Adoption of the Downtown Belton Design Guidelines.
- Amend the Smoking in Public Places Ordinance to restrict smoking in public parks.
- Development of an Annexation Plan and Strategy for proposed development areas.
- Develop a Neighborhood Problem Solving Guide with key contacts for City services.
- Review and examine all review fees associated with Community Development for possible review and updating.
- Establish a 353 Rehabilitation/Renovation Program for Old Town Belton in association with Downtown Belton Main Street Inc.
- Revision and refinement of Enhanced Enterprise Zone incentives.
- Develop design guidelines for N. Scott.
- Staff will also be developing and refining several internal processes, including:
 - 1) Continue to develop a library of planning and community development materials about Belton. (On-going)
 - 2) Continue to refine the Plan Review Process to ensure consistency. (On-Going)
 - 3) Develop and refine Policies and Procedures for Code Enforcement to increase efficiency.
 - 4) Work closely with Belton Corporation for Economic Development. (On-Going)