

Minutes of Meeting  
Belton Planning Commission  
City Hall Annex, 520 Main  
January 12, 2009

CALL TO ORDER: Chairman Paul Myers called the meeting to order at 7 p.m.

ATTENDANCE

Commission: Chairman Myers, Mayor Pro Tem Gary Lathrop, Councilman Bobby Davidson, Commissioners Tim McDonough, Holly Girgin, Roger Horne, and Larry Thompson.

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

Absent: Commissioners Sally Davila and Scott VonBehren.

Chairman Myers reported that Commissioner Davila went to be with a relative at the hospital and Commissioner VonBehren was sick with the flu.

MINUTES: Commissioner Horne moved to approve the minutes of the December 15, 2008, planning commission meeting. Councilman Davidson seconded the motion. All voted in favor and the motion carried.

PUBLIC HEARING:

Case #TA09-01: The first item on the agenda was consideration of a text amendment to increase the maximum height requirement for structures in commercial zoning districts. Chairman Myers opened the public hearing at 7:02 p.m. This hearing was being held to receive public input regarding the proposed text amendment.

Mr. Leipzig explained that a replat was recently approved for Cornerstone Pointe and a hotel proposed for the site would have a height greater than the City's current maximum height allowed for structures in commercial districts. Chairman Myers reminded commission members that this topic was discussed at the last meeting.

Mr. Cooper reported that at the last meeting the commission discussed changing the maximum building height in commercial zoning districts only. He stated that the current building maximum height of 35-ft. would remain the same in the other zoning districts. Mr. Cooper read the proposed text amendment included in the staff report: The language read, "No structure shall exceed 74-ft. in height, however, an increase may be allowed pending review and approval of the fire marshal and building inspector. The proposed structure must meet applicable fire and building codes and be compatible with surrounding land uses." A memo (attached) was distributed by Mr. Webb regarding the proposed building height restrictions and the building fire codes. The central premise of the memo was to propose using the phrase "occupied floor level" instead of "overall building height" as the measure to determine maximum building height in the proposed text amendment. It was pointed out by Mr. Webb that a building over 74-ft. is

classified as a high-rise and additional code restrictions come into play. If the wording of the proposed text amendment is changed to “occupied floor level,” it would be more compatible with the building fire codes according to Mr. Cooper.

Mr. Webb elaborated on the use of the term floor level rather than building height in the proposed text amendment because the building fire codes are concerned with life-safety, not how high the top of the building is. He went on to explain the fire codes deal with floor level because that is where the people will be located in the building, and in all probability, there will not be people on the roof. Commissioner McDonough asked questions about what constitutes a high-rise building and was told that it is the total height of the floor level, not the number of floors in a building. He made the suggestion that it could make the design standards harder for an architect to comply with. It was further explained that it will be the height of the topmost floor that will determine the maximum height requirement. There was further discussion and examples of building floor heights presented.

As there was no public input, Chairman Myers closed the public hearing at 7:18 p.m.

**Councilman Davidson moved to approve the text amendment to the zoning ordinance with the changes discussed, to increase the maximum height requirement for structures in commercial zoning districts, to read as follows: “No structure’s floor level shall exceed 75-ft. above the lowest level of fire department vehicle access; however, an increase may be allowed pending review and approval of the fire marshal and building inspector. The proposed structure must meet applicable fire and building codes and be compatible with surrounding land uses.”** The motion was seconded by Mayor Pro Tem Lathrop. When a vote was taken, the following was recorded: Ayes: 7 – Chairman Myers, Mayor Pro Tem Lathrop, Councilman Davidson, Commissioners McDonough, Girgin, Thompson, and Horne. Noes: none. Absent: 2 – Commissioners Davila and VonBehren. The motion carried.

#### DISCUSSION:

The next item on the agenda was a discussion regarding the planning commission 2008 year in review and the priority agenda items for 2009.

Mr. Leipzig gave an account of the planning commission basic statistics and major accomplishments during the 2008 calendar year. During the report, Mr. Leipzig focused on a list of proposed issues and key projects to be scheduled for planning commission consideration in 2009.

One topic of discussion was the creation of a foreclosure notice ordinance which would require the banks/lenders to notify the city when they are foreclosing on a property within the corporate limits.

Another issue to be investigated in 2009 is the regulation of used car lots in the city according to Mr. Leipzig. He mentioned that the special use permit process could be used as a means to regulate and reduce some of the existing issues associated with used car lots.

An update was given by Mr. Leipzig on the special use permit for Belton Glass, 309 Main Street, which will return to the commission agenda in March of 2009. He reported that the wall at 309

Main Street has been braced so Mr. Shaw will be able to maintain his occupancy permit. The special use permit for the garage door will be reviewed in March. Commissioner Horne was of the opinion that the wall at 309 Main Street was built as it is currently placed, because there are no cracks in the mortar to indicate movement. Mr. Leipzig pointed out that Mr. Shaw had the option of providing the city with a report from a structural engineer stating the wall was built the way it is, or to brace the wall. Mr. Shaw chose to brace the wall. Mr. Leipzig indicated that Mr. Shaw is aware of the March special use permit deadline.

An update to the City's future land use and zoning maps, along with the creation of a unified development ordinance are all items dependant upon budget approval and could be projects for 2009 according to Mr. Leipzig.

Another priority item for 2009 brought up by Mr. Leipzig was the creation of a below-market interest rate loan program. The objective of the loan program is to encourage homeowners to redevelop/remodel existing structures. He explained that some cities in Cass County are working with Mid-America Regional Council (MARC) to create a loan program in the area. Mr. Leipzig went on to report that there are no income restrictions for these below-market rate loans. He told commissioners that these loans produce no liability or risk to the city, the lending institution agrees to assume the risk. A meeting will be set up with the First Suburbs Coalition regarding this subject. Mr. Leipzig went into more detail explaining that a pool of money is set aside for the loan program, the lending institution then processes the loans, and a monthly report is sent to the city. Mr. Leipzig gave an explanation of the reason banks are encouraged to participate in a below-market rate loan program.

Returning to the list of 2009 priority items, Mr. Leipzig mentioned the possibility of developing design guidelines for North Scott and other targeted areas of the City. In addition, the consideration of economic incentive packages to encourage commercial and residential development in the City.

Mr. Leipzig also reported on internal department processes that will be developed and refined in 2009. Mention was made of additional ways to utilize the Community Development BluePrince software. Councilman Davidson remarked that there have been occasions when he was notified by code enforcement about residential code violations, and as a result of the notification he made contact with the residents. He indicated that he thought that process of "information and communication" has been working well.

Chairman Myers gave an explanation of the Development Review Committee (DRC) meetings and he invited commissioners to attend those meetings.

It was suggested that the planning commission year in review report and quarterly reports from the City Council, be sent to Belton residents in the water bill and/or on the City web site. Chairman Myers and Vice-chairman Girgin were recognized for guiding the commission throughout the year.

#### **DIRECTOR'S REPORT:**

Mr. Leipzig reported that Adesa Auto Auction will hold the first auction at the new facility in Belton tomorrow.

The Boardwalk at Belton TIF hearing is being held tonight in the City Council Chambers according to Mr. Leipzig.

He was asked if there will be road improvements on County Line Road by the Adesa Auto Auction. Mr. Webb reported that part of the original development agreement included road improvements to 155<sup>th</sup> Street, which incorporated a traffic signal at North Scott. He went on to say that due to the number of parties involved in the process, which include Missouri Department of Transportation (MoDOT); CenterPoint Development; and the cities of Belton, Grandview and Kansas City, a lot of points still need to be worked out before the road improvements begin. It was reported that the area appears to have been surveyed recently.

**ADJOURNMENT:**

Councilman Davidson moved to adjourn the meeting. Commissioner Thompson seconded the motion. All voted in favor and the meeting adjourned at 7:55 p.m.

Ann Keeton  
Community Development Secretary



# BELTON EMERGENCY SERVICES

Steven F. Holle • Fire Chief

**\*\*\* MEMORANDUM \*\*\***

To: Robert Cooper, City Planner  
From: Jason Webb, Fire Prevention Officer  
Date: January 12, 2009  
Re: Height Restrictions and Building/Fire Codes

---

The building and fire codes adopted by the City of Belton have several provisions that apply specifically to buildings "with an occupied floor located more than 75 feet above the lowest level of fire department vehicle access". These provisions deal mainly with construction type, and more restrictive fire and life safety requirements.

Additional fire department access requirements come into play for buildings exceeding 30 feet in height. Included are things such as multiple, remote access points and additional width to accommodate aerial fire apparatus. Overhead utility lines are prohibited within these particular access roads. These issues obviously become more important with taller structures.

With those factors in mind, I would recommend the language of the proposed change to height restrictions reflect the "floor level" versus overall building height. This will make the language consistent with the other codes and still provide the guidance needed by design professionals to meet local requirements.

If you have any questions, please let me know.