

**Minutes of Meeting
Belton Planning Commission
City Hall Annex, 520 Main Street
August 20, 2012**

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, Councilman Scott Von Behren, Commissioners Sally Davila, Tim McDonough, Jeff Fletcher, Chris Christensen, and Larry Thompson.

Staff: Jay Leipzig, Community Development Director; Jason Webb, Fire Marshal; Mark Polk, Building Inspector; Zach Matteo, Assistant City Engineer; Robert Cooper, City Planner; and Ann Keeton, Community Development Secretary.

Absent: Commissioner Mike Van Eaton

MINUTES

Commissioner Thompson moved to approve the minutes of the August 6, 2012, planning commission meeting. The motion was seconded by Councilman Von Behren. All members present voted in favor, and the motion carried.

PUBLIC HEARING - HELP Humane Special Use Permit

Mr. Leipzig reported that this Special Use Permit (SUP) application is to allow HELP Humane, a no-kill animal shelter, to operate at 17122 Bel-Ray Place. HELP is currently located at 511 Main Street.

Mr. Cooper pointed out the proposed location and identified neighboring businesses. He gave a brief history of the HELP Humane organization and provided details about the proposed business site. According to the applicant, all animals will be contained within the building, no kennels outdoors. Mr. Cooper presented reasons why an SUP is required for this type of use in a commercial district. Information about the site provided by Mr. Cooper included details about parking, access, signage, screening and fencing. He stated that staff recommended approval of the SUP with four conditions. Mr. Cooper identified the adjoining businesses.

Chairman Girgin opened the public hearing to receive input regarding the HELP Humane SUP request at 7:10 p.m. Cyndi Dill, 8007 Spring Valley Road, spoke in favor of the SUP application. She indicated HELP would like to move in order to purchase a building instead of renting, which they have been doing for the past seven years. She stated the site is a good location with better visibility from 58 Highway. There was no further input and Chairman Girgin closed the public hearing at 7:13 p.m.

Mayor Pro Tem Lathrop moved to recommend approval of the SUP application to allow a no-kill

animal shelter to operate at 17122 Bel-Ray Place with four conditions: 1) No issuance of the Certificate of Occupancy for HELP Humane Society, until the site has had a final inspection by the fire marshal and building official, for compliance with applicable city codes; 2) No kennels shall be stored or used outdoors; 3) No outdoor storage of supplies and/or material unless fully screened from public view; 4) The construction of a six-foot wooden privacy fence along the west property line. Commissioner Christensen seconded the motion. When a vote was taken, the following was recorded: Ayes: 8 - Chairman Girgin, Mayor Pro Tem Lathrop, Councilman Von Behren, Commissioners Davila, McDonough, Fletcher, Christensen, and Thompson. Noes: none. **Absent: 1 - Commissioner Van Eaton. The motion carried.**

PRESENTATION - Age Restricted Housing Development on Cunningham Industrial Parkway

Mr. Leipzig introduced Jim Moore with the Affordable Housing Group and Zimmerman Investments, L.L.C. The developer wishes to submit an application to the Missouri Housing Development Commission for low income housing tax credits for an age-restricted multi-family apartment complex on Cunningham Industrial Parkway. The developer would like a letter of consistency with the Belton land use plan from the City in support of the application. Mr. Leipzig gave an overview of the proposed project and told about the surrounding land uses. He reported the project is not consistent or in compliance with the current City zoning map, so the property would have to be rezoned to accommodate the project. The project is also not consistent with the recently adopted future land use map. He clarified that if the letter of support is issued, the zoning map and the future land use map would both have to be amended. There was discussion about the surrounding land uses.

Mr. Jim Moore, Developer, Springfield, Missouri, gave overview of the **seniors'** housing project being proposed for Cunningham Industrial Parkway. He asked the Commission to consider modifying the **City's** land use plan. Mr. Moore gave a summary of his **company's** various projects and his development philosophy. He described various features of the apartments including the exterior finish which he stated would be "**lots of brick**" and HardieBoard. Mr. Moore explained the tenant screening process used by his company for prospective renters. Mr. Moore went on to say this family owned business will act as the developer, contractor, and property manager of the apartments and he explained the benefits of this type of development model. He answered questions regarding the brick / stone on the building, which he said will cover one-third to one-half of the exterior. Estimates of the development costs were given by Mr. Moore.

Brett Axtell, broker, announced this is a 10 million dollar project, with no incentives, and will be a \$40,000 assessment.

Jeff Dean, property owner, reported that the property where Lakewood Terrace apartments is located had to go through a zone change before it was developed. The proposed project is on land across the street from Lakewood Terrace, and there has been little interest in the property with the current zoning classification according to Mr. Dean. His stated opinion was the proposed development would not have any negative effects.

In discussion, Mr. Leipzig pointed out that a rezone of the property would create an island of multi-family zoning surrounded by commercial, light industrial or warehouse uses. There was

discussion about whether the property is a prime commercial site and Mr. Moore stated the housing group is in the process of generating a market study. There was clarification of the commitment the Commission would be making by issuing a letter of support. When asked about the feasibility of placing the proposed development across the street by Lakewood Terrace Apartment, Mr. Moore provided reasons why that would not work out. He gave details about the type of buffer that may be used between the apartments and the existing commercial buildings. There was discussion about the number of acres that would remain M-1 (Light Industrial) if three acres were rezoned to R-3 (Multi-Family), and other pros/cons of multi-family at this location. Mr. Cooper clarified aspects of the land use and zoning for the proposed project site and he put forth reasons to encourage the Commission to recommend sending a support letter. Mr. Moore reiterated that he will need a letter supporting an alteration to the **City's** land use plan and he suggested the Commission include any conditions they feel necessary to that recommendation of support.

Councilman Von Behren moved to write a letter of support to modify the land use map in support of this project (Age restricted multi-family apartment complex on Cunningham Industrial Parkway - the Estates on Cunningham). The motion was seconded by Commissioner Christensen. When a vote was taken, the following was recorded: Ayes: 8 - Chairman Girgin, Mayor Pro Tem Lathrop, Councilman Von Behren, Commissioners Davila, McDonough, Fletcher, Christensen, and Thompson. Noes: none. Absent, 1 - Commissioner Van Eaton. Motion carried. Chairman Girgin left the meeting at 8:00 p.m.

STORMWATER MASTER PLAN

Mr. Leipzig introduced Tony Stanton, with Olsson & Associates, who was in attendance to present the final recommendation for the City Stormwater Master Plan. Mr. Stanton highlighted several key points of the plan including:

- The purpose and goals of the plan
- Questionnaires sent to citizens
- Key recommendations
- Description of how projects were prioritized
- Identified creation of project scoring system
- Assigned costs to new projects and maintenance projects
- The function of conservation overlay districts
- Recommend adoption of the APWA criteria

2012 INTERNATIONAL CODE ADOPTION

Mr. Leipzig introduced Jason Webb, Fire Marshal and Mark Polk, Building Official who were present to update the Commission about the adoption of the 2012 Building Codes. He reported there will be a 90-day implementation period, and estimated the adoption date will be around February 1, 2013.

Mr. Webb gave an explanation of the nationwide code production three-year cycle and he pointed out that Belton and other midwest jurisdictions adopt the codes every six years. He told of the formation of a new group whose primary intent is to standardize codes between jurisdictions and start a metro-wide code adoption process. Mr. Polk went into detail about the

reason the City adopts the code every six years rather than every three years. He went on to say that this effort will unite jurisdictions across the Kansas City metro area to get on the same code cycle. It was stated that more information about the code adoption will be presented at a future meeting.

BILLBOARD ORDINANCE

Mr. Leipzig reported this item was discussed at an earlier meeting and he referred to a draft ordinance in the agenda regarding off-premise signs, specifically billboards. He named the sources that went into the creation of the draft.

Mr. Cooper told the Commission members the existing code dealing with off-premise signs does not contain regulations for billboard signs. He reported a staff member used six criteria from the draft ordinance to develop a map illustrating the areas where new billboard signs could be located, if the new language is adopted. Mr. Cooper reviewed the six criteria for placement of off-premise signs. According to Mr. Cooper this item will have a public hearing on September 17, 2012.

DIRECTOR'S REPORT

Mr. Leipzig reported there will be three public hearings at the September 17, 2012 meeting including vehicle sales, billboards, and the International Building Code adoption. The City Council will consider the age-restricted housing project on Cunningham Parkway at a future meeting.

ADJOURNMENT

Councilman Von Behren moved to adjourn the meeting. Mayor Pro Tem Lathrop seconded the motion. All members present voted in favor, and the meeting adjourned at 8:30 p.m.

Ann Keeton
Community Development Secretary