

Minutes of Meeting  
Belton Planning Commission  
City Hall Annex – 520 Main Street  
February 1, 2010

CALL TO ORDER

Vice-chairman Scott VonBehren called the meeting to order at 7 p.m.

ATTENDANCE

Commissioners: Vice-chairman VonBehren, Mayor Pro Tem Gary Lathrop, Commissioners Sally Davila, Tim McDonough, Jeff Fletcher, and Larry Thompson.

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

Absent: Chairman Holly Girgin, Councilman Bobby Davidson, and Commissioner Roger Horne.

Vice-chairman VonBehren introduced Commissioner Jeff Fletcher, who was recently appointed to serve on the Planning Commission. Commission members introduced themselves to Commissioner Fletcher.

MINUTES

Mayor Pro Tem Lathrop moved to approve the minutes of the January 25, 2010, Special Planning Commission meeting. Commissioner Fletcher seconded the motion. All members present voted in favor and the motion carried.

PRESENTATION – SEDIMENT AND EROSION CONTROL

Mr. Leipzig introduced Mr. Ieans, City Engineer, and reported he has been working with the city attorney on a draft of a sediment and erosion control ordinance.

Mr. Ieans announced that at the March 1, 2010, Planning Commission meeting there will be a public hearing for the new sediment and erosion control ordinance. The City is required by Missouri Department of Natural Resources (DNR) to update the sediment and erosion control regulations. The regulations will cover any grading on any residential or commercial lots, in addition to large construction projects. One exception mentioned by Mr. Ieans was for home gardens. He said a permit will not be required to establish a home garden. The new ordinance will require all contractors to have a bond which will be used if the contractor fails to complete the work. It was reported someone from the city attorney's office will be present for the commission meeting on March 1.

COMMISSION DISCUSSION

Mr. Ieans explained more about the "bond" mentioned in his presentation. The bond amount is based on the construction estimate and the contractors must have a bond before a permit will be issued. He went on to say small residential lots will have a permit cost of \$200 and larger

projects will be \$500. The permit fees will cover the cost of inspections conducted by city staff according to Mr. Ieans.

Mayor Pro Tem Lathrop asked if the proposed erosion control regulations are the same as the regulations adopted by Kansas City, Missouri. He reported he had read an article in a publication that indicated many builders were against the Kansas City erosion control regulations because of the cost involved. Mr. Ieans reported he researched the fees and believes the proposed fees are reasonable. Mr. Leipzig added the proposed regulations cover silt fence placement and removal. The proposals primarily deal with changes in the American Public Works Association manual. This will give the City a chance to keep ordinances up to date on the issue of sediment and erosion control according to Mr. Leipzig. It was confirmed by Mr. Ieans the permit cost for projects over one acre in size will be \$500 and projects less than one acre will be \$200.

Mayor Pro Tem Lathrop brought up the topic of silt fence removal. He inquired if the proposed ordinance will cover silt fence removal and he gave examples of projects where the silt fences were never removed. Mr. Ieans reported the proposed ordinance does have a provision for silt fence removal.

There are a few minor revisions coming from the city attorney's office according to Mr. Ieans, but at the March 1 meeting there will be a draft of the sediment and erosion control ordinance provided to commission members.

An explanation of the manner in which the bonds will be used was given by Mr. Ieans and he stated there are penalties written into the ordinance for noncompliance. The bond is a separate erosion control bond and the project will need permanent vegetation before the bond money will be refunded. It was stated the bond must be held by the City for at least 12-months. Mr. Ieans reported there will be a penalty if the silt fences are not removed. He did not have a dollar amount established, but agreed that the bond could be used if the fences are not removed.

Mr. Ieans informed the Commissioners there is a provision in the proposed erosion control ordinance for mud and debris deposited on streets during construction projects. Commissioner McDonough reported there are large fines assessed in Overland Park for mud and debris on city streets. The Commissioners discussed some projects where construction vehicles left mud on the streets without cleaning it up.

#### DIRECTOR'S REPORT

Mr. Leipzig reported the next Commission meeting will be held on March 1, 2010, and the public hearing for the proposed sediment and erosion control ordinance will be on the agenda. There will not be a second meeting in February due to the President's Day holiday.

He gave a brief history of the Special Use Permit application process completed for RLB Services to allow the sale of used motorcycles at 1208 – 1210 N. Scott. The applicant will be meeting with the Development and Review Committee (DRC) on Wednesday, February 03, 2010.

The Census will kickoff around the middle of March when survey forms will be sent to every household. Mr. Leipzig described the census document as a point-in-time survey of April 1, 2010. A census representative will speak to the City Council the second meeting in March. The importance of the census was explained by Mr. Leipzig.

Commissioner Davila asked about the large number of cars parked at the Belton Value Auto business. Mr. Leipzig reported that a code enforcement employee went to the site and did not observe any vehicles for sale. There were vehicles parked at the business waiting to be repaired. Code Enforcement is watching vehicle repair business lots to make sure there are no auto repairs being done in the parking lots. The cars parked at Belton Value Auto are all operable vehicles according to Mr. Leipzig, and the business does not have a vehicle sales stamp. There was further discussion about the large number of cars at the site on North Scott and Mr. Leipzig explained there are multiple car repair businesses at the same location. He indicated staff is looking at ways to tighten the ordinance for vehicle repair businesses.

There was discussion about the stacking of cars in business parking lots and possible solutions to the problem. Commissioner McDonough asked if the repair businesses are required to stripe their parking lots and Commissioner Davila questioned whether stacking cars violates a fire code. Mr. Cooper reported that access issues are always a concern, but code enforcement will issue a citation if necessary. He went on to say that one requirement of a new business is to have the parking lot striped and repaired. It was suggested by Commissioner McDonough that the existing auto repair business should be required to stripe the parking lot to create designated places to park vehicles rather than stacking cars all over the lot. Mr. Cooper explained some items examined by staff during a review of a new business license application. There was a discussion about whether an existing auto repair business can be required to stripe the parking lot. There was an additional explanation given by Mr. Cooper about business license applications and uses permitted-by-right in specific zoning districts. He agreed there is a parking lot maintenance ordinance that could be enforced and he reported new business applicants are encouraged to meet with the DRC committee to work out details and prevent parking / access issues. It was reported by Mr. Leipzig that during development of the Unified Development Code a provision has been included for vehicle repair shops. A vehicle repair shop application will be required to submit a parking sketch plan and designate a car pick-up / drop-off area.

#### ADJOURNMENT

Commissioner McDonough moved to adjourn the meeting. Commissioner Thompson seconded the motion. All members present voted in favor, and the meeting adjourned at 7:26 p.m.

Ann Keeton  
Community Development Secretary