

**Minutes of Meeting
Belton Planning Commission
City Hall Annex, 520 Main Street
March 4, 2013**

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; Zach Matteo, Assistant City Engineer; Robert Cooper, City Planner; and Ann Keeton, Community Development Secretary.

MINUTES

Mr. Leipzig reported the date for the **contractor's** open house in the meeting minutes was incorrect and should be March 21, 2013. Mayor Pro Tem Lathrop moved to approve the minutes as corrected. Commissioner Thompson seconded the motion. All voted in favor and the motion carried.

PUBLIC HEARING - Vacation of Right-of-Way (ROW)

Mr. Matteo presented the staff report concerning the Kingsland to 155th Stormwater Improvements Project and the proposed vacation of ROW on North Scott Avenue. He explained a clerical error years ago resulted in part of the property **owner's** parcel being recorded as right-of-way rather than as an easement, as was intended. The property owner has agreed to donate easements in exchange for correction of the ROW error according to Mr. Matteo.

Mayor Pro Tem Lathrop initiated a discussion about the ROW vacation legal process; specifically the requirement to first "**petition the city council**" who may subsequently instruct the planning commission to hold a public hearing. Mr. Cooper gave an explanation of the proposed text amendment regarding the vacation of public ways, which is being presented as the next item on the agenda. He explained the the reason why the City initiated vacation request was brought before the planning commission for a public hearing prior to being presented to the city council. Mr. Matteo reported there are no utilities in the ROW to be vacated and he answered questions about the temporary and permanent easements. It was stated there is only one property owner and parcel involved in the vacation.

Chairman Girgin opened the public hearing at 7:11 p.m. The hearing was being held to receive public input regarding a vacation of ROW located east of North Scott and north of the Southfork Manufactured Home Community entrance. There was no public input and Chairman Girgin closed the hearing at 7:11 p.m. Councilman Von Behren moved to recommend approval of a

vacation of right-of-way located east of North Scott and north of the Southfork Manufactured Home Community entrance. The motion was seconded by Mayor Pro Tem Lathrop. When a vote was taken, the following was recorded, Aye: 8 - Chairman Girgin, Mayor Pro Tem Lathrop, Councilman Von Behren, Commissioners Davila, McDonough, Fletcher, Christensen, and Thompson. Noes: none. Absent: none. The motion carried.

PUBLIC HEARING -Amendment to the Unified Development Code (UDC) re: Vacating Public Ways

Mr. Leipzig reported that it was discovered there is conflicting information in the UDC. He stated that Chapter 36 - "**Subdivision Regulations**" has requirements for vacating public ways and Chapter 34 - "**Streets**" also has vacation requirements. The differences in the vacation requirements from the two chapters were pointed out by Mr. Leipzig. He went on to say the proposed language, if approved, will be in both chapters of the UDC.

Chairman Girgin opened the public hearing at 7:16 p.m. to consider a text amendment to the UDC regarding vacating public ways. There was no public input and Chairman Girgin closed the hearing at 7:16 p.m. Commissioner McDonough moved to recommend approval of a text amendment to the UDC regarding vacating public ways. 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: none. The motion carried.

DIRECTOR'S REPORT

Mr. Leipzig circulated a water / sewer question and answer sheet prepared by Shockey Consulting for the April election. The sheet was distributed to assist Commission members to answer questions about the water /sewer question.

Other items being reported by Mr. Leipzig included:

- **The Contractor's / Developers Open House will be held on March 21, 2013,** and Commission members are welcome to attend.
- The City Council is expected to appoint a planning commissioner at the meeting March 5, 2013.
- At the next Commission meeting, staff will begin the process to revoke a special use permit for an auto sales business at 107 Chestnut due to violations of the SUP conditions.

It was reported there was a building collapse at 314 Main Street due to the weight of snow on the roof from a recent storm. He presented a summary of the steps taken by City staff during the event. He related details concerning an engineer, hired by the property owner, to assess the building damage and surrounding structures. Mr. Leipzig reported that he anticipates the collapsed building will be demolished at the end of the week. Mr. Leipzig went on to say that from initial reports, it appears there is no additional damage to the standing portion of the building. He stated the gas to the building and under the south side of the building has been shut off.

There was discussion about one of the two new billboards (easternmost) which was reported is a tri-face billboard. Chairman Girgin explained how a tri-face billboard functions and mentioned the Commission was not informed it would be a rotating sign. A request for an SUP to allow a digital billboard at 8009 E 171st Street will be heard by the City Council in March.

Mr. Leipzig also presented information about:

- **Menards - Planning to locate in Belton, but the date is unknown at this time**
- **Hampton Inn - Motel is open and employing area residents**
- **Cornerstone Point - No additional development planned at this time**
- Boardwalk at Belton - Staff met with developer regarding new proposal in February, but the development group decided to locate at the Legends.

ADJOURNMENT

Commissioner Thompson moved to adjourn the meeting. The motion was seconded by Councilman Von Behren. All present voted in favor and the meeting adjourned at 7:32 p.m.

Ann Keeton
Community Development Secretary