



**AGENDA  
CITY OF BELTON  
PLANNING COMMISSION  
MEETING AND PUBLIC HEARING  
MONDAY, SEPTEMBER 16, 2013 - 7:00 P.M.  
CITY HALL ANNEX, 520 MAIN STREET**

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**I. CALL MEETING TO ORDER**

**II. ROLL CALL**

**III. APPROVAL OF THE MINUTES OF THE AUGUST 5, 2013, PLANNING COMMISSION MEETING**

**IV. PUBLIC HEARING**

- A. Consideration of a Special Use Permit to allow a Digital Pricing Sign to be located at 1307 E. North.

**V. PRESENTATION**

- A. Presentation of a draft of the Capital Improvement Plan (materials to be distributed at meeting).

**VI. DISCUSSION**

- A. Building Incentives.

**VII. DIRECTOR'S REPORT**

**VIII. NEXT MEETING DATE: October 7, 2013**

**IX. ADJOURNMENT**

# **MEETING MINUTES**

**AUGUST 5, 2013**

**Minutes of Meeting  
Belton Planning Commission  
City Hall Annex, 520 Main Street  
August 5, 2013**

**CALL TO ORDER**

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

**ATTENDANCE**

*Commission:* Chairman Girgin, Mayor Jeff Davis, Councilman Tim Savage, Commissioners Sally Davila, Tim McDonough, Chris Christensen, Chuck Crate, and Larry Thompson.

*Staff:* Jay Leipzig, Community and Economic Development Director; Robert Cooper, City Planner; and Ann Keeton, Community Development Secretary.

*Absent:* Commissioner Steve Finn

**ELECTION OF OFFICERS**

Commissioner Davila moved to nominate Holly Girgin as chairman of the Planning Commission. The motion was seconded by Commissioner Christensen. All members present voted in favor and Holly Girgin was elected chairman.

Commissioner Thompson moved to nominate Chris Christensen as vice-chairman of the Planning Commission. Commissioner McDonough seconded the motion. All members present voted in favor and Chris Christensen was elected vice-chairman.

**MINUTES**

Commissioner Davila moved to approve the minutes of the July 15, 2013 Planning Commission meeting. The motion was seconded by Commissioner Crate. All members present voted in favor and the motion carried.

**PUBLIC HEARING** – Zone change from M-1 to R-3A for property on Cunningham Industrial Parkway

Mr. Leipzig reported this zone change application was reviewed by the Commission last year in December. He stated the applicant was applying for low income tax credits from the Missouri Housing Development Commission for an age-restricted multi-family apartment project which was not funded. According to Mr. Leipzig, the application for tax credits has been revised and the applicant is asking the City to consider the zone change once again.

Mr. Cooper gave the staff report regarding the zone change request for a 3.5-acre property on Cunningham Industrial Parkway. He introduced Jim Moore, principal owner of Housing Investment Partners II, LLC. He reviewed the actions taken by the Commission regarding the zone change application in 2012. At that time, a recommendation was made to the City Council to approve the zone

change from M-1 to R-3A with the stipulation the developer receive approval from the Missouri Housing Development Commission prior to the Council review and acceptance. Mr. Cooper presented an overview of the proposed three-story housing project with 48 age-restricted units. He gave a description of the surrounding property's current zoning classification. The requested zone change to residential would not be consistent with the City's Future Land Use Map according to Mr. Cooper and he explained the typical timetable for map updates.

Chairman Girgin opened the public hearing at 7:13 p.m. The hearing was being held to receive public input regarding a zone change from M-1 (Light Manufacturing) to R-3A (Apartment Community Residential) for a 3.89-acre property located on the north side of Cunningham Industrial Parkway and south of North Cass Shopping Center.

Jim Moore, applicant and developer for Housing Investment Partners, Springfield, Missouri, reported the project was reduced from 60 units to 48 units. Mr. Moore stated his company was the developer of Lakewood Terrace, and he displayed a picture of the proposed project design. According to Mr. Moore the 5.5 million dollar project is for active older adults age 55+ with one and two bedroom units. He listed several of the amenities that will be available to the tenants and talked about the management staff. Mr. Moore indicated they would be applying for low-income housing tax credits again. The project would be funded by tax credit equity along with a conventional loan. Mr. Moore gave an estimated project schedule, starting with the application for tax credits until project completion. A description of the exterior of the building was given by Mr. Moore.

Mr. Moore answered questions about the age restrictions of the tenants occupying the units, and the federally mandated income requirements for residency, which he stated is high \$40s and below. Mayor Davis stated the City demographics indicate there is a need for housing for area seniors and he reported the property being considered is in the Ray-Pec School District.

Bret Axtell, with E.A. Axtell, and Company, Grandview, Missouri, gave an estimate of the real estate tax revenue the City would receive as a result of this project. Mr. Leipzig distributed a copy of the Community Housing Assessment Team report (CHAT) that was completed in 2003 and he reported there have been no code violations at Lakewood Terrace apartments.

Jeff Dean, Raymore, Missouri, praised the appearance of the Lakewood Terrace apartment complex and commented that the company takes good care of the properties they own.

As there was no further input, Chairman Girgin closed the public hearing at 7:25 p.m. and opened the floor to Commission discussion. Councilman Savage complimented the existing apartment complex, but expressed concern about continually seeing low income housing projects in the City. His primary concern was for budgetary reasons and he indicated that he would like to see projects that generate revenue for the City to aide in improving a struggling budget. Commissioner McDonough also voiced concerns about the developers dictating reductions in quality infrastructure (e.g. roads, drainage . . .) during the design/beginning phase of projects to save money. He emphasized the connection between

quality infrastructure and upper income housing. Mayor Davis reiterated that data suggests there is an overwhelming need for lower income housing for area seniors. He pointed out the site, which is currently zoned M-1, has not had any land developers contact the city expressing interest in acquiring the property. After additional discussion, Commissioner McDonough moved to recommend acceptance of a change in zoning classification from M-1 (Light Manufacturing) to R-3A (Apartment Community Residential) with the following condition: 1) The developer shall receive approval from the Missouri Housing Development Commission for low-income housing tax credits prior to City Council review and acceptance. The motion was seconded by Commissioner Christensen. When a vote was taken, the following was recorded, Ayes: 7 – Chairman Girgin, Mayor Davis, Commissioners Davila, McDonough, Christensen, Crate, and Thompson. Noes: 1 – Councilman Savage. Absent: 1 – Commissioner Finn. The motion carried.

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

Mr. Leipzig distributed a flier about the upcoming Fall Festival which will be held on Main Street September 13 - 14, 2013.

Belton Clean-up Days will be held September 28 -29, 2013.

A special use permit application has been submitted by Hy-Vee for a digital gas pricing sign.

Commissioner McDonough initiated a discussion about previously approved digital signs that are not following the "Electronic Message Board Sign" regulations in the Unified Development Code (UDC). It was decided that staff will notify the sign owners to advise them of the regulations. Additional sign code violations were discussed including a sign advertising "tobacco" in a store with a different use.

Mr. Leipzig reported he will be meeting with representatives from Menards on Thursday, August 8, 2013 and the Markey Parkway roadway schedule of completion will be discussed. There was further discussion about the decisions made for the construction of Markey Parkway in conjunction with the Menard's project.

#### **ADJOURNMENT**

Commissioner McDonough moved to adjourn the meeting. Commissioner Christensen seconded the motion. All members present voted in favor and the meeting adjourned at 7:44 p.m.

Ann Keeton  
Community Development Secretary

**SPECIAL USE PERMIT**  
**DIGITAL PRICING SIGN**



**PLANNING COMMISSION REGULAR MEETING  
CITY HALL ANNEX, CITY COUNCIL ROOM  
520 MAIN STREET  
MONDAY, SEPTEMBER 16, 2013 – 7:00 P.M.**

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STAFF: Robert G. Cooper, City Planner

**CASE #SUP13-09**

**Request:** Nesper Sign Advertising, Inc., on behalf of Hy-Vee gas station, has requested a Special Use Permit, to allow a digital pricing sign, an upgrade, to an existing, skirted double-pole sign structure.

**Location:** Located at the main entrance from E. North Avenue, just west of Mullen Road. The street address is 1307 E. North Avenue.

**Legal Description:** Re-plat Mullen Square Addition, Lot 2

**Owner / Applicant:** Hy-Vee, Inc. / Hy-Vee, Inc.

**Size of Site:** 0.90-acres / 39,068-sq. ft.

**Existing Zoning / Land Use:** C-2 / Commercial/Retail

**Proposed Use:** Commercial/Retail

**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 / Retail Stores

### Nature of Current Request

Hy-Vee – gas/convenience store has retained the services of Nesper Sign Advertising, Inc., in their effort to modify and improve an existing pole sign with a digital price sign built into the pole sign structure. The 4’-1.5” x 2’-11.5” / 8.75-sq. ft. or (17.50-sq. ft. –total) digital price display will be internally illuminated, with channel lettering and will be installed into the existing pole sign structure.

There will be two (2) products of gas price displays –the applicant will be adding two price display signs to the existing 21-foot tall pylon sign–which will be “Diesel” and “Unleaded”.



Aerial view of surrounding area

### CODE CITATION

Pursuant to Section 30-9 of the Unified Development Code, ‘Electronic Message Center signs are permitted subject to review by special use permit.

1. Electronic message center signs are not allowed as part of a temporary sign;
2. Any portion of the message or image must have a minimum duration on screen of eight (8) seconds. An exception to this requirement is made for a sign that displays time and temperature;
3. The change from one message to the next shall not take more than one (1) second and shall not involve flashing or movement of text or image;
4. In case of malfunction, the sign shall be defaulted to a blank screen;
5. Prior to the issuance of a sign permit, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed 7,000 NITS during daylight hours and 2,500 NITS between dusk and dawn and that the intensity level is protected from end-user manipulation.; and
6. The sign shall not display light of such intensity or brilliance to cause glare or otherwise impair the vision of the driver, or result in a nuisance to the driver.

## **HISTORY**

Hy-Vee –convenience store/gas station (Lot 2) was originally constructed in 2005. The site layout was originally designed to serve the Mullen Square commercial subdivision. The exiting convenience store building is approximately 2,430-sq. ft. with an additional 3,976-sq. ft. for the accessory gas canopy.

## **STAFF REPORT**

### **Welfare and Convenience of the Public**

It appears, allowing a digital price sign could have a positive image and affect on the welfare and convenience of the general public.

### **Injury to Surrounding Property**

The site is located at one of the entrances to the Hy-Vee/Mullen Square commercial subdivision. The existing pole sign is 21-feet tall and is placed in an area where visibility is at its greatest. The area is zoned C-2 (General Commercial) and is part of a planned commercial subdivision. The digital nature of the sign face and its use only as a gas price sign and low intensity lighting will mitigate any potential glare or nuisance.

### **Domination of the Neighborhood**

It appears, the proposed use will not add to the predominance of that particular use within the neighborhood. The other commercial users in the area all have wall and free-standing signs that are more visible than the proposed digital sign.

### **Proposed Use will not detract or encroach upon welfare or convenience of the public**

It appears the proposed use will not detract or encroach upon the welfare or convenience of the public. One mitigating factor is the size of the digital gas price sign, which at 8.75-square feet, the signs will not be out of scale with the surrounding structures or signs in the vicinity.

## **STAFF RECOMMENDATION**

Should the Planning Commission wish to approve Special Use Permit13-09, to allow a digital price sign on the existing Hy-Vee – gas/convenience store pole sign, at the Mullen Square Commercial subdivision, located at 1307 E. North Avenue, the following condition(s) shall apply:

1. The applicant shall comply with all the requirements as outlined in Section 30-9 of the Unified Development Code.

## **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) Sign Elevations



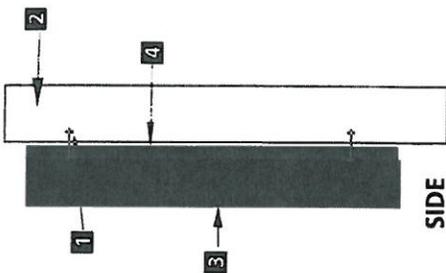
NESPER SIGN ADVERTISING, INC.  
4620 J ST SW CEDAR RAPIDS, IA  
PHONE: 319-366-5932 FAX: 319-366-4493

HY-VEE	PROJECT NUMBER	515-327-2170
HY-VEE GAS	SITE ADDRESS	BELTON MO
PG-2577	CLIENT NAME	PHIL GARLAND
5/3/13	DATE	7/10/13
<b>ELECTRICAL REQUIREMENTS</b>		
120 VOLT		
PRIMARY SUPPLY BY A CERTIFIED ELECTRICIAN		
<b>CLIENT/LANDLORD APPROVAL</b>		
<input type="checkbox"/>	APPROVED	<input type="checkbox"/>
<input type="checkbox"/>	DIS-APPROVE	<input type="checkbox"/>
<input type="checkbox"/>	REVISE	<input type="checkbox"/>
CLIENT SIGNATURE	DATE	
LANDLORD SIGNATURE	DATE	

RECEIVED AUG 05 2013

SIGN TYPE	QTY
(4) TOTAL S/FACE LED ELECTRONIC FUEL DISPLAYS WATCHFIRE BRAND RED & GREEN	4

WATCHFIRE LED FUEL SIGNS



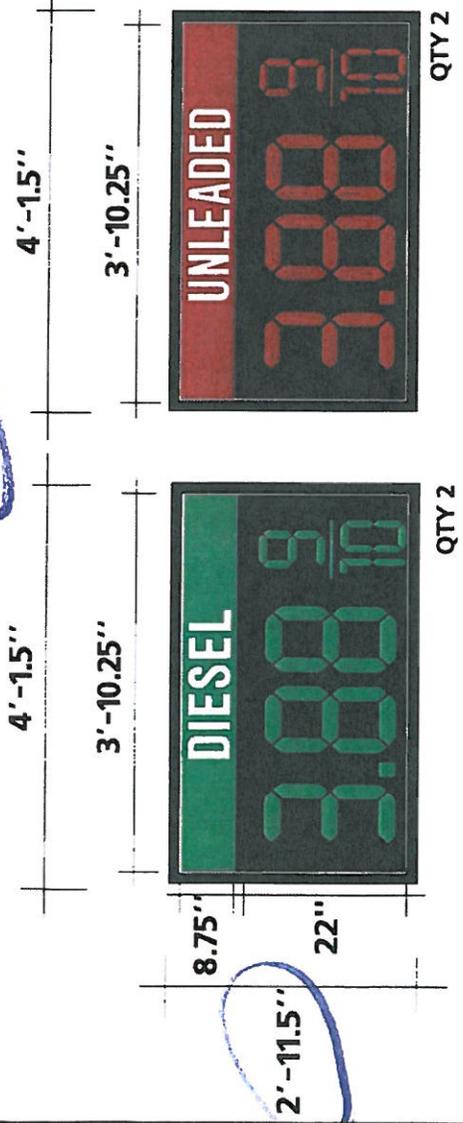
SIDE

120V AC, 15 AMP CIRCUIT FOR POWER

- 1 LED CABINET MOUNTED VIA THRU BOLT WITH NUT AT THE BACK TO EXISTING FACADE OR POLES
- 2 POLES/PIPES
- 3 LED DISPLAY MOUNTED INTO TYPE TWO EXTRUDED ALUM. CABINET TO HAVE 1.5" DIVIDER BAR FOR PLEX INSERT FOR ILLUMINATION (1) NESPER'S GREEN LAMP
- 4 2" STEEL ANGLE

ALL SIGNS MUST BE GROUNDED AND BONDED WITH GREEN WIRE

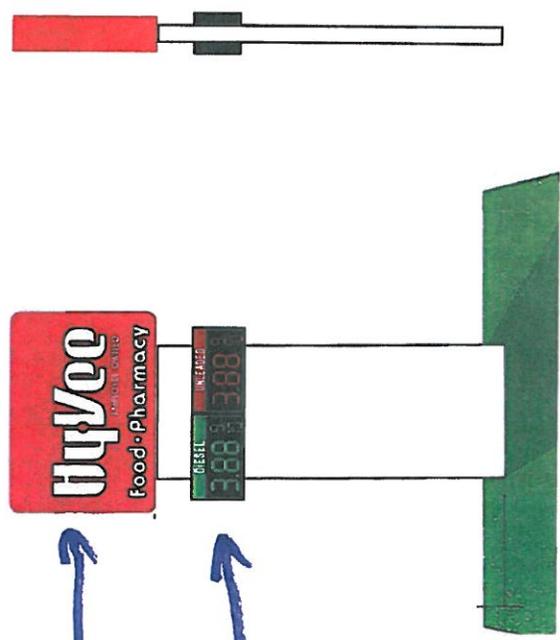
THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE SIGN PERMITS DEPARTMENT OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) LOCAL CODES. THIS INCLUDES PROTECTING FROM THE EFFECTS OF THE SIGN.



ELEVATION DETAIL

SCALE: NTS QTY 4

- SINGLE FACED DISPLAY. DIGITS ARE 1" HIGH
- DIGIT LED TO BE RED & GREEN
- FUEL GRAD CAPTION PANEL IS 9.5" X 4.6"
- CABINET: TYPE TWO EXTRUDED ALUM. WITH DIVIDER BAR, 1.5" RETAINERS AND PAINTED SATIN BLACK
- SERVICE AND ELECTRIC WIRE TO ACCESS THROUGH FRONT OF THE DISPLAY
- DRILL THROUGH THE SHEET METAL CABINET TO ATTACH HARDWARE FOR MOUNTING DISPLAY



EXTERIOR APPLICATION

BOTH SIDES OF POLE COVER AS SHOWN SCALE: NTS

THIS ORIGINAL COPYRIGHT DRAWING IS CREATED FOR YOUR PERSONAL USE IN CONNECTION WITH PLANNED DISPLAY BY NESPER SIGN ADVERTISING INC. IT IS NOT TO BE SHOWN TO ANYONE OUTSIDE YOUR FIRM. NOR IS IT TO BE REPRODUCED, COPIED, OR EXHIBITED IN ANY FASHION.

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12' SIGN

6'-0" COLUMN O/CTR

(Sign is is Now)

8'-4 3/8"

35" "H"



CABINET:  
LG A EXTRUDED ALUMINUM  
8" STD CORNERS  
FINISH IN HYVEE LOGO RED

FACES:  
WHITE FLEX  
FINISH IN HY VEE RED (3630-33)  
WHITE COPY 7/8" BLACK OUTLINE

WHITE COPY  
.5" BLACK OUTLINE

11" "F"

21'-0"

COLUMNS:  
(2) 10" .375 WALL STEEL PIPES  
40' STD LENGTH (29'REQ'D CUT)  
THRU SIGN:  
6" STD. WALL STEEL PIPE  
10' LONG (INC.STUB)

COLUMN COVER:  
(65% SIGN WIDTH REQ'D)  
8' X 21' X 12" CHANNEL  
FAB .080 ALUM OVER ANGLE IRON FRAME  
FINISH WHITE

BASES:  
2'-6" X 8' DEEP  
1.45 YD EACH

DOUBLE FACE INTERIOR ILLUMINATED DISPLAY  
POWER TO SIGN BY OTHERS

FINAL

Date 4.23.99

By J.G.



BELTOWN, MISSOURI  
#24890 L.SOVERN  
1/21/99

NESPER SIGN ADVERTISING

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