

**Minutes of Meeting  
Belton Planning Commission  
City Hall Annex, 520 Main Street  
October 21, 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 Tim McDonough, Chris Christensen, Steve Finn, Chuck Crate and Larry Thompson.

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

Absent: Commissioner Sally Davila

**MINUTES**

Commissioner Thompson moved to approve the minutes from the September 16, 2013 Commission meeting. Commissioner McDonough seconded the motion. All Commissioners present voted in favor and the motion carried.

**PUBLIC HEARING** - Special Use Permit (SUP) application - 307 Hargis Lane

Mr. Cooper reported the SUP request is for a home childcare business to operate at 307 Hargis Lane and he gave an overview of the request. He provided details about the Unified Development Code (UDC) section pertaining to day care homes and centers, and a history of the property at 307 Hargis. The effect the home business could have on surrounding properties was mentioned, along with the lot size, signage, and available off-street parking.

Chairman Girgin opened the public hearing at 7:06 p.m. The hearing was held to receive public input regarding the SUP request for a home childcare business at 307 Hargis Lane.

Janet Sharp, 306 Sunset Lane spoke against the SUP request. She voiced concerns about an existing childcare business east of her home and the proposed business going in north of her property. She questioned what will happen to property values when businesses are allowed to open in residential areas.

Christina Duke, SUP applicant, 307 Hargis Lane, told the Commission about her military and childcare experience. She reported that she is State of Missouri licensed for childcare. She emphasized her goals are quality and affordable childcare and she presented information about her education / qualifications. She pointed out aspects in her childcare policy handbook and went over the rules for outdoor playtime. Ms. Duke stated she is seeking accreditation from the National Association for the Education of Young Children (Naeyc).

Ms. Duke answered questions from the Commission concerning hours of operation and she mentioned that she is licensed for 24-hour care. She went on to say that she will not install a wall sign to advertise the business. The Dukes contacted some adjoining property owners about their intention to open a home childcare business. It was stated there will be a maximum of 10 children at one time at the home business and she explained the routine for overnight stays of military children. She gave an explanation of the reasons why they chose not to open a childcare center in a commercial district. Mayor Davis asked how staff determines if there is a proliferation of one type of business in an area and Mr. Cooper indicated staff's decision would be complaint driven and he gave examples. Mayor Davis went on to mention concerns about the unidentified and unintended effects of the home business.

There was a brief discussion about a letter included in the agenda packet which was opposed to the home childcare business. The letter referenced a rezoning request and Mr. Cooper clarified the request is for an SUP, not a zone change. Mr. Cooper was asked about the validity of the statements made in the letter, specifically the childcare business affecting property values. A list of property maintenance code violations that could affect surrounding property values was given by Mr. Cooper. Mr. Leipzig added there does not appear to be a strong connection between day cares opening in residential areas and a drop in property values. It was acknowledged the letter came from someone who does not live in the applicant's neighborhood, but has rental property in the area.

Mr. Davis, 215 Sunset Lane, Belton stated he does yard work for Ms. Sharp at 306 Sunset, and he expressed his displeasure with the weeds/grass growing along the fence line of the applicant and encroaching into the yard of Ms. Sharp. He went on to voice his dissatisfaction with other City properties allowing weeds/trees to grow into their chain link fences and Mr. Leipzig announced he will alert the code enforcement officer about Mr. Davis's complaint.

Danielle Ngwira, 516 B Street, Belton, spoke in favor of the SUP. She stated her husband is in the military and they are new residents of Belton. She indicated the cost of the Duke's childcare is less than her previous childcare provider. She went on to express her satisfaction with the hours of operation of the home business.

Danielle Shoffner, 15415 Barat Road, Grandview, Missouri spoke in favor of the SUP. She stated the previous day care she used was more expensive and poor quality. She indicated that she is a new mom and has concerns when leaving her child in day care, but she believes Ms. Duke's childcare is extremely "personal."

Thaddeus Duke, 307 Hargis Lane, Belton, stated they moved into the house in June and were made aware by the State that the bushes growing over the fence would have to be removed. He went on to say they just passed their last inspection so the State has deemed the tree line meets the requirements, but in order to be a friend to the neighbors, he volunteered to take care of any existing weeds / trees in the fence.

HY, 409 Richards Avenue, Belton, stated he has recently relocated to the area from California. His two children are in the Duke's childcare and he mentioned the house is cleaner, friendly and the children are learning more than in previous day care situations. He spoke in favor of the SUP.

Rashaunda White, 207 Bienbille, Belton, reported they are a military family and have recently moved to the area. She spoke favorably of the extended hours and weekend hours offered at the day care. She went on to say the children have been in other centers but this site is a "quality" childcare business.

As there was no further discussion, Chairman Girgin closed the public hearing at 7:40 p.m.

Commissioner Crate moved to table action on the SUP request until the November 4, 2013 meeting. His stated reason was to research the validity of the letter received by staff against the SUP application. The motion died for lack of a second.

After additional discussion, Councilman Savage moved to approve the SUP application with the following conditions: 1) The SUP may be reviewed in one year pending any code/nuisance violations; 2) No signage allowed on the site; 3) No outdoor storage of supplies and /or material unless fully screened from public view. The motion was seconded by Commissioner McDonough. When a vote was taken the following was recorded: Ayes: 8 - Chairman Girgin, Mayor Davis, Councilman Savage, Commissioners McDonough, Christensen, Finn, Crate and Thompson. Noes: none. Absent: 1 - Commissioner Davila. The motion carried.

#### **PRELIMINARY PLAT & PRELIMINARY DEVELOPMENT PLAN - Belton Gateway**

Preliminary Plat: Mr. Leipzig introduced the next item of business and gave an overview of the preliminary and final platting processes. Mr. Cooper provided background information about the proposed development site including the size and zoning designation. He identified specific items shown on the preliminary plat/plan and he mentioned additional elements which will be included on the final plat/plan. In a review of the Belton Gateway project, Mr. Cooper stated the developer has proposed three phases with multiple lots. He pointed out the primary access points and the proposed signalized intersections. It was noted by Mr. Cooper that approval of the preliminary plat does not constitute acceptance of the subdivision, but is authorization to proceed with the preparation of the final plat. He went on to say the preliminary plat is effective for two years but if a final plat has not be submitted during this period, a preliminary plat must be resubmitted. Mr. Leipzig added that the Belton Gateway final plat/plan will be considered by the Commission on November 18, 2013.

There were questions and discussion about the schedule for the construction of Markey Parkway and the closure of Quik Trip Way. Access issues for existing businesses and a church in the area during construction were discussed. Mr. Leipzig announced it has been proposed that Quik Trip Way be vacated on January 1, 2014. It was brought out that the "Welcome to Belton" sign currently located by Quik Trip Way will be relocated.

Dave Olson with Christie Development Associates representing the developers, Y Belton, LLC was present to familiarize Commission members with the proposed Belton Gateway preliminary plan. He announced there is interest from a 58,000 sq. ft. national retailer to locate in Belton Gateway, so the developers are moving swiftly to accommodate the retailer's development schedule which includes a grand opening in mid-August, 2014.

Mr. Olson gave a brief history of past actions associated with Quik Trip Way/Markey Parkway along with future plans for those streets including the vacation of a portion of Quik Trip Way. The location of the new retailer's future site was selected for the visibility from I-49 according to Mr. Olson. He spoke of three components used to develop the construction plan and schedule which were: an agreement with an area church, a meeting with Quik Trip personnel, and an existing traffic study. Commissioner Finn announced that he is an employee of Quik Trip and he inquired about details of the timeline for closing Quik Trip Way and opening Markey Parkway. Mr. Olson reported that March 15, 2014 is the proposed date for Markey Parkway access to be complete. He went on to state an alternate traffic control plan has been established to improve access to North Scott during the construction period. When the project is complete, Quik Trip will have access to a signalized intersection at Markey and Y Highway. He gave additional information about the temporary traffic control plan at Locust Hill and North Scott. According to Mr. Leipzig, a traffic mitigation plan will be submitted and approved before Quik Trip Way is vacated. It was stated church access can be maintained from the north during the construction period. Mr. Olson spoke of a roadbed that will be constructed from Y Highway to the church, which will be maintained by the onsite contractor until the bed can be finished and paved.

Mr. Leipzig answered questions about the Belton Gateway development value and categorized the construction of Markey Parkway as being one of the primary benefits for the City. Mayor Davis reported he understood from an earlier meeting that Quik Trip access would be complete before Quik Trip Way was closed. Mayor Davis voiced concern about no southern access for Quik Trip employees / trucks from January 1 to March 15, 2014 and encouraged the developers to be responsive to Quik Trip's needs on the south. Other topics brought forth by Mr. Leipzig included: Markey Road may be constructed with concrete to accommodate all the truck traffic; and the development plan is consistent with the Future Land Use Map and Trails Master Plan. Mr. Olson told Commissioners the developer wishes to coordinate with the preliminary plat for a neighboring development approved on May 20, 2013. Councilman Savage also expressed concern about the closure of the southern access for Quik Trip and stressed the importance of not directing all the trucks to North Scott. He encouraged Mr. Olson to develop a plan to decrease the expected three month shutdown of the southern access. Mr. Olson proposed construction of a temporary roadbed access which he would like to be complete before Quik Trip Way is shutdown, but in actuality he stated, would probably be around February 1, 2014 when complete.

Mr. Leipzig gave an explanation of the method that will be used to finance the construction of Markey Parkway. It was reported by Mr. Leipzig that the final plat/plan for phase 1 and 2, the TIF agreement and redevelopment agreement should all be ready for approval by the Council in mid-January. Commissioner Christensen moved to approve the preliminary plat for Belton Gateway, a 46.8-acre commercial development, northwest of 163<sup>rd</sup> Street and I-49 pursuant to the

concerns noted in discussion. The motion was seconded by Commissioner Crate. When a vote was taken, the following was recorded, Ayes: 8 - Chairman Girgin, Mayor Davis, Councilman Savage, Commissioners McDonough, Christensen, Finn, Crate and Thompson. Noes: none. Absent: 1 - Commissioner Davila. The motion carried.

Commissioner Thompson moved to approve the preliminary development plan for Belton Gateway located northwest of 163<sup>rd</sup> Street and I-49 with the attached conditions (see attached). Commissioner Christensen seconded the motion. In discussion it was brought out that the discrepancy in the size of the right-of-way shown on the preliminary plat for a right turn lane will be adjusted to accommodate the engineer recommended 200-ft. Mr. Olson reported the "Welcome to Belton" sign will be moved to the median. When a vote was taken the following was recorded, Ayes: 8 - Chairman Girgin, Mayor Davis, Councilman Savage, Commissioners McDonough, Christensen, Finn, Crate and Thompson. Noes: none. Absent: 1 - Commissioner Davila. The motion carried.

#### **PRESENTATION - North Scott Corridor**

Mr. Leipzig introduced the planning intern, Chayton True, who has been working on a design concept for North Scott as part of a class project at UMKC. Councilman Savage left the meeting at 8:40 p.m. Mr. Cooper reported about the ageing issues along North Scott and some existing challenges in that corridor.

Mr. True announced that last spring he won the J.C. Nichols student prize for outstanding design performance for a recent design project. He reported that after review of North Scott he did a SWOT analysis (Strengths, Weaknesses, Opportunities and Threats) and he went over his analysis with the Commission. A few of the proposed long-term improvements included a visitor center; multi-use plaza to contain farmer's market area, playground, and amphitheater; rails to trails program; connection to Katy Trail; express bus to downtown Kansas City (KC); and a commuter rail system to downtown KC. He also presented short range proposals and ways to fund redevelopment along North Scott. Mr. Leipzig provided additional information about funding methods, and stated that at a future meeting a detailed implementation plan will be presented to the Commission.

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

Mr. Leipzig reported the final plat/development plan for the Belton Gateway project will be presented to the Commission on November 18, 2013. The staff and city attorneys will continue to work on incentives ensuring Markey Parkway will be completed in a timely manner.

It is probable that Menards will be submitting plans to the City in the spring or summer of 2014 according to Mr. Leipzig.

Ingram's magazine spotlights various communities in the Destination KC, Cities of Distinction portion of the magazine and the City of Belton's new economic development program was the focus of a recent article.

Villas of Briar Creek senior housing proposal on Cunningham Parkway will have a public hearing on Thursday, October 24, 2013 before the Missouri Housing Development Commission (MHDC), with a decision to come in December.

The owners of Carriage Works are anticipating the construction project in Belton to begin in the spring of 2014.

A ribbon cutting ceremony for Cleveland Lake is scheduled for 4 p.m., Tuesday, October 22, 2013.

There was discussion about the length of future Commission meetings and whether more time will be made available due to upcoming development projects; Belton Suites extended stay hotel remodeling project (Belton Inn); additional concerns about the timing of completion of the southern access for Quik Trip during construction of Belton Gateway.

#### **ADJOURNMENT**

Commissioner Thompson moved to adjourn the meeting. The motion was seconded by Commissioner Christensen. All members present voted in favor, and the meeting adjourned at 9:12 p.m.

Ann Keeton  
Community Development Secretary

# ATTACHMENT

## Belton Gateway Preliminary Plan conditions of approval

### Planning

1. Provide size, location, color and materials of all signs to be attached to building exteriors;
2. Indicate location, size, and materials to be used in all screening of roof-top mechanical equipment;
3. Provide building sections, floor plans indicating dimensions and areas of all floors within proposed buildings;

4. Location, size, type of material and message of all proposed monument or wall signs;
5. Location, height, candle-power, and type of outside lighting fixtures for buildings and parking areas;
7. Location and dimensions of all driveways, parking lots, parking stalls, aisles, loading and service areas and docks. (All assessable parking spaces shall comply with ADA/Accessibility Guidelines. Each accessible parking space shall be identified by a sign, mounted on a pole or other structure located 60-inches (5-ft) above ground measured from the bottom of the sign at the head of the parking stall.);
8. Limits, location, size and material to be used in all proposed retaining walls;
9. Show distance between all buildings, between buildings and property lines and between all parking areas and property lines;
10. Landscape and screening plans shall include the following:
  - a) Size, species, location and number of all proposed landscape materials;
  - b) Notation of all areas to be seeded or sodded;
  - c) Location, size, and materials to be used for all screening, including screening of outside trash enclosures;
  - d) Provide a street lighting plan. The light poles should be metal and all electric lines tunneled underground. The final layout will be reviewed by the city's engineering division for any conflicts within easements.
11. All off-street parking areas are required to have concrete curb and gutter;
12. All off-street parking and loading areas are required to be surfaced with a permanent material such as asphalt, concrete, paving blocks, or other approved material meeting City standards;
13. Every parking space needs to be clearly demarcated by lines painted on the roadway surface. All other roadway markings shall be clearly identified;
14. Provide details on pedestrian access ways/trails. Pedestrian access to buildings shall be provided from rights-of-way and parking areas. Walkways, no less than 8-feet in width **must be provided along the full length of the building façade;**
15. Provide details on bike/walking trails. The project's trails system shall be in accordance with Mid-America Regional Council (MARC) Metro-Green Plan, the Missouri Livable Streets Design Guidelines, and the City of Belton Parks and Recreation Trails Master Plan. Trails for walking, jogging and biking shall be no less than 10-feet in width and located within dedicated rights-of-way. Trail segments with a minimum of 10-feet shall be constructed at the time of infrastructure improvements;

16. All Best Management Practices (BMPs) shall be utilized;
17. All sidewalks shall be constructed to City design standards. Sidewalks shall be required on both sides of the street in any commercial use district and on all collector and arterial streets. All sidewalks shall not be less than five (5) feet in width along arterial streets. Sidewalks shall be located in the platted street right-of-way, six (6) feet from back-of-curb to near the face of the sidewalk. Walks shall also be installed in any pedestrian easements and be maintained by the abutting property owner.

**Engineering** - The City of Belton Engineering Division has reviewed the preliminary development plan and offers the following comments:

#### **Public Utilities**

- All design and construction of public infrastructure must comply with the City of Belton's Design and Construction Manual, including City standard details;
- Proposed diameters of sanitary and storm sewers, including the proposed 8" diameter sanitary sewer, requires verification from the City Engineer and may need to be increased;
- The connection of the proposed sanitary sewer to the existing system to the south is not depicted. This information must be provided before the sanitary sewer layout can be approved;
- Permanent utility easements for proposed public sanitary sewer and waterlines, and any necessary drainage easements, must be granted to the City;
- A storm water drainage study must be submitted in compliance with Section 5600 of the City's Design and Construction Manual. This drainage study must also address storm water quality requirements as outlined in Section 36-69 Subdivision design of the City's Unified Development Code, and any other storm water requirements per City code. The City is seeking creative solutions to address storm water quality requirements in conjunction with landscaping;
- Comprehensive infrastructure construction plans must be submitted for Engineering review, including, but not limited to: roadways, waterlines, sanitary sewerage, storm sewer, and storm water quality Best Management Practices (BMPs). Plans must depict profiles for all public utilities, and all plan and profile sheets shall have the plan view on the top half of the sheet and profile view on the bottom half of the sheet.

#### **Stream Buffers**

- Development of the property surrounding the existing stream (Phase III) must be in compliance with Chapter 32 of the City's Unified Development Code, specifically stream setback requirements. If the developer seeks to obtain a Federal Clean Water Act Individual 404 Permit for Phase III, this permit must be submitted to the City and approved by the City before any

construction of Phase III can occur.

### **Connection to Turner**

- R/W on Turner Road is yet to be determined because of uncertainty with desired level of service. Coordination with the Y-Highway Preliminary Plat approved by the Planning Commission on May 20, 2013 is recommended.

### **Traffic Study**

Discrepancies between the preliminary plat/plan and the traffic study prepared by Kaw Valley Engineering and submitted to the City on October 2, 2013 are outlined below, with staff questions, comments and concerns. The following was provided to Kaw Valley Engineering on October 10, 2013.

#### Report Clarifications/Modifications

- Please revise the report text to make consistent or provide clarity to the orientation of roadways and turning movements. The page after Figure 3 sets the convention that Quik Trip Way is north/south and Y Highway is east/west, but the text alternates between this convention and true north;
- Traffic count table on this same page shows a peak hour count for Westbound Right as 88, but Figure 4 shows 80;
- Correct the first sentence of the “Future Traffic Projections and Conditions” section on Page 9.
  - Also, please relocate the “Future Traffic Projections and Conditions” section to be located after the “Existing Plus Proposed Conditions” but before the “Recommended Improvements” section;
- Revise Figure 7 to reflect the latest preliminary plan.

#### Questions/Comments on Recommendations

- Recommendation #1 states “an auxiliary 200’ right turn lane will need to be constructed in conjunction with the extension of Markey Parkway to Scott Avenue.” This comment pertains to the intersection of Missouri Highway Y and the proposed Markey Parkway. The proposed 120’ R/W on the preliminary plat does not appear to be sufficient to add this auxiliary 200’ right turn lane in the future. The R/W shown on the preliminary plat must be widened or adjusted to accommodate this additional right turn lane;
- In regard to the Markey/Y Hwy intersection and the Markey/site driveway intersection, recommendation #2 states “the intersections need to be spaced a minimum of approximately 850 LF” while the preliminary development plan spaces these intersections 650 LF. Is it possible to shift the Markey/site driveway intersection further north, to bridge the gap between 650 LF and 850 LF?

- *Southeast bound approach at Markey/site driveway intersection:* The traffic study recommends 200 feet while the preliminary site plan appears to show 150 feet. Is it possible to make this 200 feet?
  - *Northwest bound approach at Markey/site driveway intersection:* The traffic study recommends 300 feet while the preliminary site plan appears to show 180 feet. Is it possible to make this closer to 300 feet?
  - The preliminary plan does not depict anticipated lanes in the southwest or northbound directions at the Markey/site driveway intersection from the developed sites. Please incorporate the traffic study recommendations into the preliminary plan to fully depict the intersection.
- Recommendation #3 – Is it possible to construct the traffic signal at the Markey/site driveway intersection with Phase 1 and leave it dark until it is needed? The report should discuss specific triggers on when to construct this traffic signal if it is not constructed in Phase 1, or when to activate the signal if it is constructed in Phase 1;
  - Recommendation #4 – Traffic study suggests the right-in/right-out upstream of the Markey/Y Hwy intersection be located 730 LF upstream of the intersection. It is difficult to match the text with the preliminary plan to verify if the two match. The right-in/right-out may need to be shifted closer to the I-49 exit ramp to match the traffic study. Please provide clarification in the report on how these distances are measured;
  - Please note in the recommendations sections the final sentence on Page 3 in regard to sight distance at all driveways: “The developer is advised that care should be taken by the site designer to not locate landscaping or development signage within the sight triangles at each driveway.”

**Fire Department** – The City of Belton Fire Marshal’s Office has reviewed the preliminary development plan and offers the following comments:

1. All construction must comply with the provisions of the 2012 International Fire Code (IFC) (or code adopted at time of construction) and City of Belton local amendments and standards;
2. Comprehensive infrastructure construction plans shall be submitted for fire review and acceptance including, but not limited to:
  - a. Fire hydrants - existing and proposed.
  - b. Water mains - public and private.
  - c. Location of overhead utilities. No overhead power lines shall obstruct FD access.
  - d. Location of exterior electric/gas appurtenances;
3. Exterior electric/gas appurtenances subject to vehicular impact will require vehicle impact protection in accordance with Section 312 of the IFC;

4. Provide documentation of current fire flow and impact on water system;
5. Fire flow shall be provided to each building in accordance with appendix B of the 2012 IFC (or standard adopted at time of submittal);
6. All fire department access roads, including parking lots, shall be designed to support the imposed loads of fire apparatus and be provided with an all-weather driving surface in accordance with appendix D of the 2012 IFC (or standard adopted at time of development). Turning radius shall be approved. (30' Inside, 40' Outside). Access to the Crossroads Church shall be maintained at all times throughout construction. Approved roadways shall be provided to within 150' of all portions of all buildings;
7. Dead-end FD access roads in excess of 150' shall be provided with width and turnaround provisions in accordance with Table D103.4 of the 2012 IFC;
8. Gates across fire department access roads shall meet Belton Fire Department specifications and be in accordance with local fire codes;
9. The design of any traffic calming measures (speed bumps/humps, etc.) proposed in the fire department access shall be approved by the fire prevention bureau prior to installation;
10. Fire department access must be in place and maintained throughout construction;
11. Knox Box fire department access key boxes will be required at several locations throughout the development.
12. Separate fire protection permits will be required for each automatic fire sprinkler system, commercial kitchen hood suppression systems, or other fire protection systems installed;
13. Any blasting that takes place on the site requires a separate permit prior to commencement.