

**Minutes of Meeting
Belton Planning Commission
City Hall Annex, 520 Main Street
December 2, 2013**

CALL TO ORDER

Chairman Holly Girgin called the meeting to order at 7:30 p.m.

ATTENDANCE

Commission: Chairman Girgin, Mayor Jeff Davis, Councilman Tim Savage, Commissioners Sally Davila, 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.

MINUTES

Commissioner Davila moved to approve the minutes of the November 18, 2013 Planning Commission meeting. Commissioner Christensen seconded the motion. All Commission members voted in favor and the motion carried.

FINAL PLAT - Belton Gateway

Mr. Cooper reported that Y-Belton, LLC, would like to develop a 46.8-acre property in phases. The final plat being considered includes Lots 1 - 5 and is 17.43-acres in size. He pointed out the geographical boundary of the plat and mentioned the preliminary plat was approved on October 21, 2013. The primary access points for the development were identified by Mr. Cooper. He noted the developer agreed to dedicate a 10-foot trail easement along Markey Parkway which will tie into the city trail system. There were questions about access to Crossroads Methodist Church which it was stated will be discussed later in the meeting. Commissioner Christensen moved to recommend approval of the final plat of Belton Gateway Addition. Commissioner Thompson seconded the motion. When a vote was taken the following was recorded, Ayes: 9 - Chairman Girgin, Mayor Davis, Councilman Savage, Commissioners Davila, McDonough, Christensen, Finn, Crate and Thompson. Noes: none. Absent: none. The motion carried.

FINAL DEVELOPMENT PLAN - Belton Gateway

Mr. Cooper gave a report on the final development plan for Belton Gateway, specifically Academy Sports & Outdoors, which is a commercial/retail development. He stated the development is on a 6.54-acre tract of land located on Lot 1 and part of Lot 4, and told of the surrounding land uses. Mr. Cooper went over the proposed land uses for the lots in Phase I & II along with the building square footage. He called attention to the proposed exterior finishes. Mr. Cooper explained the inclusion of staff comments/conditions from Planning, Engineering and the Fire Department which are in the agenda staff report and he went over the Planning comments. Mr. Cooper identified and went into detail about access points to the development. Mr. Leipzig

expressed staff's satisfaction with the overall planning of the project. He talked about potential issues with public access for Markey Parkway and the surrounding property owners, and explained four staff public access stipulations and those were:

1. Markey Parkway shall be constructed of concrete with an appropriate aggregate material as stipulated in the City of Belton Design and Construction manual. Quik Trip Way will not be closed until Markey Parkway is completed as depicted on the final development plan. At the northern terminus of Markey Parkway, a temporary drive shall be installed to provide access to the south parking area of the QuikTrip Distribution Center. The location and construction material of said drive shall be coordinated between the developer and Quik & Tasty.
2. Roadway and/or site construction shall commence on or after December 20th and shall be completed no later than March 15, 2014.
3. The second access to the Crossroads United Methodist Church property shall commence during the construction of Markey Parkway as previously agreed to between Christie Development and the church; and
4. The Markey Parkway roadway material and construction shall be designed in accordance with city standards at the direction and oversight of the City's Public Works Department for both temporary and permanent installations.

Dave Olson with Christie Development Associates introduced Sam Malinowski with Kaw Valley Engineering and Dave Christie, Principal of Christie Development, who were present. Mr. Olson responded to the four public access stipulations/conditions presented earlier by Mr. Leipzig. He reported on the actions taken thus far by the developer in anticipation of the project getting underway, including a pre-bid meeting scheduled for December 4, 2013. He proposed a plan to provide an all-weather roadway surface consisting of a combination of a final roadway section approximately 300-ft. from Y Highway to the proposed intersection (Markey Parkway & the new Quik Trip Way) located at the northwest corner of the Master's Transportation property. In addition, a temporary paved roadway surface will connect the existing Quik Trip Way to Y Highway, and he listed the materials that would be used in construction of that temporary road. He reported Quik Trip Way needs to be closed around February 1, 2014 in order to maintain the building construction and grand opening dates.

Mr. Olson then proposed modifications to the public access stipulations as follows:

Condition #1:

- "Quik Trip Way will not be closed until" the temporary driving surface of Markey Parkway is completed.
- Delete the last two sentences - ~~At the northern terminus of Markey Parkway, a temporary drive shall be installed to provide access to the south parking area of the Quik & Tasty Distribution Center. The location and construction material of said drive shall be coordinated between the developer and Quik & Tasty.~~

Condition #2:

- Add the word "access" - "Roadway access and/or site construction shall commence on or after December 20 . . ." Mr. Olson explained the Markey roadway construction can be completed by May 15, 2014 and the site construction completed prior to July 1, 2014.

Condition #3:

- Remove the word “second” - “The ~~second~~ access to the Crossroads United Methodist Church property shall commence during the construction of Markey Parkway as previously agreed to between Christie Development and the church.”

Condition #5:

- Add new condition #5 - The City of Belton will vacate Quik Trip Way from the northern boundary of Belton Gateway to the intersection of the future Quik Trip Way.

Mr. Olson indicated Condition #5 should be added for the developer to comply with the Fire Department Condition #8 and to prevent the creation of a fire department access road in excess of 150-ft. He also commented on the Fire Department Condition #10 and proposed the following:

Fire Department Condition #10: Add the language “temporary surface” - “It is the recommendation of the Fire Department, that Markey Parkway temporary surface be completed BEFORE the closing of Quik Trip Way.”

Mr. Olson reported the developer could not commit to the conditions as written by staff and he indicated that unknown winter weather conditions could cause delays. He then guaranteed Quik Trip, Masters Transportation, and the Church will have access to Y Highway on an all-weather roadway surface from the time Quik Trip Way is closed until Academy Sports is opened. Mr. Leipzig told Commissioners about staff meetings with the developer and surrounding businesses to address and balance the construction schedule concerns along with the existing business access concerns.

Jeff Fisher, Public Works Director, spoke of the challenges the project faces and the uncertainty in the number of traffic disruptions that may occur during construction. He indicated the overall proposal is sound. He provided an example of potential interruptions that could occur during construction. Mr. Leipzig provided further details about temporary roadway closures during construction and the need to provide surrounding businesses with advance notice of those closures.

Commissioner Christensen asked about the relocation of the City of Belton sign currently located on Y Highway and Quik Trip Way. It was reported the sign will be relocated to the middle of the median on Y Highway (163rd Street). Councilman Savage asked if staff has reviewed the proposed sign location for traffic sight-lines / road visibility issues and Mr. Matteo agreed to review the proposed sign location.

Mr. Olson answered questions about the road construction. He stated that the first 300 feet of Markey Parkway from the 163rd Street intersection and the most northwest intersection of Markey Parkway will be constructed with a permanent pavement section of 9 inches of Portland Cement Concrete (PCC) on top of 6 inches of granular base. The remaining length of Markey Parkway will be initially constructed as a temporary driving surface with 4 inches of asphalt on top of Tensar geogrid. This temporary surface will substitute the 6 inches of granular base to serve as the base material, and 9 inches of PCC will be placed on top later in the construction process. He also gave some details about the building design exterior finishes.

Mr. Leipzig reported the second access to the Crossroads Methodist Church property was included in the public access stipulations to ensure that access issues are addressed as described to the church when their representatives met with the developer. Mr. Fisher added that City staff will be available to work at all hours in the field on this project. It was stated the developer will be responsible for moving the church signs. It was also explained that the onsite utilities are underground.

Brad Foster, Assistant City Manager, gave a schedule of approval for the Belton Gateway Development including the TIF Commission meeting on December 4, 2013 and the City Council special meeting, December 19, 2013. He added that the Commission has a meeting scheduled for December 16, 2013, if they wish to continue discussion and allow more time for staff / developer to try to resolve some of the differences and possibly reach an agreement regarding the public access stipulations.

Mayor Davis voiced his concern regarding access to the surrounding businesses and presented details of the negative result a roadway shut down could have on those businesses. There was a discussion about whether access to the neighboring businesses will be closed at any time during construction. Commissioner Christensen added that he believes access should not totally be shut down to the businesses but he expects there could be some inconveniences during the construction process. He expressed concern and pointed out there is only one road into the church property. Mayor Davis went on to explain the importance of the jobs created by the nearby businesses and the essential role those businesses play in the City's economic development.

David Christie, principal of Christie Development Associates, stated they are "not talking of any closures whatsoever." He told about the retail tenant that will be locating in Belton, Academy Sports, which he said will have 15 - 17 million dollars in retail sales plus hire 150 people. He reiterated they are not closing the Quik Trip Way at all without having a full surface road in. Mr. Christie listed potential benefits to area businesses with the completion of the road project. He described the road construction materials and repeated there will be a hard surface that semi-trucks can drive on before Quik Trip Way will be closed. He emphasized that no one would be without access. According to Mr. Christie, there are eight utility crossings under the road and they will be built in ahead of time so as not to inconvenience anyone. He went on to describe the materials that will be used in the construction of the temporary road. He made a commitment that a hard-surface road will be built and not be closed while acknowledging it may be down to one lane at times. According to Mr. Christie, Quik Trip Way has to be closed at some point, because the Academy Sports pad is located in the right-of-way.

When asked if staff needs more time to review the developer's proposals for public access, Mr. Foster indicated that more time would be beneficial. He went on to explain details about a plan presented earlier in the day which was for the construction of two permanent lanes of concrete from the current Markey Road to the intersection of Y Highway at Markey Parkway. Mr. Foster reiterated that staff has concerns about the developer's proposal which he said will create disruptions. Councilman Savage recommended giving staff more time for review. Mr. Olson reported that traffic control strategies during construction are submitted as part of the

infrastructure plans and are a condition of approval listed in the staff report. He described how the site for Academy Sports was selected and went into detail about an agreement between the City and MoDOT. In the agreement, MoDOT relinquished control of Y Highway to the City and the City agreed to close existing Quik Trip Way and move the entrance further away from the I-49/ Y Highway intersection. There was conversation about the vacation of a portion of Quik Trip Way by Masters Transportation which was mentioned by Mr. Olson in proposed Condition #5. It was announced the City does not object to the vacation and will start the vacation process. It was recommended once more to give staff additional time to review the developer's proposals so that a proper agreement can be worked out and not rushed. The Commission talked over future meeting dates for continuation of the discussion for the final development plan.

Larry Dickerson, Director of Real Estate for QuikTrip Corporation, stated that QuikTrip is not opposed to this project. He expressed concern that Markey Parkway will not be completed when Quik Trip Way is closed. He reported the number of employees at the QuikTrip Distribution Center and the number of trucks in-and-out of the facility daily. Mr. Dickerson related possible scenarios that could happen during road construction which would cause closures/delays and he was unsure if steel road plates would hold up to truck traffic. He spoke of the benefits to truck traffic when the road is complete but suggested there might be an alternate plan where half the road could be completed to prevent interruptions to business access.

Mr. Olson described the traffic control measures that would be temporarily implemented on North Scott / Locust Hill Road. The measures would give large trucks a wider turn area and would be implemented once Quik Trip Way is closed. Mr. Olson gave detailed information of a hypothetical timeline for road construction/utility crossings installation and he stated the intent is to have the crossings installed before Quik Trip Way is closed.

Steve Worstell with Crossroads United Methodist Church reported that church members are looking forward to the new road, which he said will increase the church's visibility. He pointed out the church has families that count on the church daycare center being open and accessible daily. If there are alternate routes during construction, they would like to be notified, so they can advise the parents ahead of time. He spoke of the second access/driveway to the church's lower parking lot, which they would like to remain as one of the stipulations for public access. He didn't categorize it as a priority but as a necessary item the church would like to see constructed in the future. He indicated that he would be comfortable with the drive being built in Phase II as long as it is not overlooked. Mr. Worstell mentioned the upper parking lot will have to be realigned when the entrance becomes right-in / right-out. It was announced that public works will provide snow removal during the project.

Commissioner Finn provided additional information about the wide area required for large trucks when making turns in the N. Scott / Locust Hill Road area. Councilman Savage asked for clarification on the second access to the Church and whether a curb cut is being requested. He recommended that be made clear since the developer proposed removing the second access earlier in the meeting. Mr. Matteo provided details about the church's second access request which he said is at the full intersection with a drive that goes southwest to the church. Mr. Worstell provided additional information about the existing parking lots at the church, and a land

deal that was made with the developer in 2008. As part of that agreement, a second access road is to be constructed to the lower parking lot, and the upper lot is to be redone when Markey Parkway is expanded to four lanes. Mr. Olson gave a history of the road plan from an earlier unrealized development and its relationship to the church property. The current plan has the intersection closer to Y Highway which has created a gap in between the church's southern property line and the signalized entrance according to Mr. Olson. He stated there is a development opportunity in Phase II but could not identify the location of that access point.

Carl Gum with Crossroads United Methodist Church spoke of an agreement made with Mr. Christie when the church sold the land to Christie Development. The church's three crosses are to be moved as part of the consideration for the price of the land according to Mr. Gum. In addition, Christie Development is to build a second road into the lower parking lot. Mr. Gum indicated there has been no dispute about relocation of the crosses closer to the church. He went on to express pleasure with the proposed development. Mr. Gum pointed out the church has many activities taking place at the facility daily and emphasized the importance of a second drive to the church which he said Mr. Christie has already agreed to in the contract. He requested it be publically acknowledged that the second road/drive will be put in to the lower parking lot at some time and he stated that without that road/drive, the church would be out of business.

When Commissioners questioned Mr. Christie about the church's second access he talked about the City using the money created in the Belton Towne Center District being used to build roads outside of that district. He stated that he is advancing money to build the road and he claimed the money should have already been there for road construction. Mr. Christie said that he has agreed to build a minimal portion of the road but he does not know who is going to build the second portion of the road and he surmised it would be a TDD District. Mr. Christie stated that he is prepared to provide an easement but the City will probably build the church drive to provide access at the time they build the road. The location of the road has changed so there is a bigger gap between the proposed road and the church property. He went on to say the Church does not need the second access now but they will need it when Markey Parkway becomes four-lane.

Commissioner Christensen thought it would be beneficial for the Commission to have a revised document with the agreed upon conditions for the final development plan when the developer and staff work out the language. There was additional discussion about a future date to continue discussion.

Mr. Olson asked Mr. Matteo if he is comfortable with the proposed changes to the public access stipulations. Mr. Matteo indicated that he would have to review the proposals before making a decision on what has been discussed tonight.

Mr. Christie requested the Commission approve the final development plan tonight with the understanding that the conditions will be resolved by the staff. He reported they have been working for months and they will build the road in accordance with what staff wants them to do. He stated there are four minor issues to be resolved and encouraged the Commission to allow

staff to work out the issues. Councilman Savage recommended that staff be allowed more time to look over the developer's proposals for the final development plan before the Commission makes a decision. There was discussion about approving the final development plan with the conditions stated and stipulated by staff and allowing staff to work out the final proposed details. Councilman Savage contended that if the plan is approved with the proposed stipulations, staff needs time to review.

Commissioner Christensen moved to approve the Final Development Plan for Belton Gateway with the stipulations that have been listed in the document and tonight. The motion was restated by Chairman Girgin to approve the Final Development Plan as presented with the conditions listed by staff and further stipulated through discussion. The motion was seconded by Commissioner McDonough. When a vote was taken, the following was recorded, Ayes: 6 - Chairman Girgin, Commissioners Davila, McDonough, Christensen, Finn and Thompson. Noes: 3 - Mayor Davis, Councilman Savage and Commissioner Crate. Absent: none. The motion carried. Chairman Girgin stated the motion was approved and staff will get with the developer to rework the final conditions and stipulations.

DIRECTOR'S REPORT

Mr. Leipzig reported the following:

- Staff will provide the final conditions of approval for the Belton Gateway Final Development Plan at the Commission meeting December 16, 2013.
- Belton was chosen as one of five Cities of Distinction in the Kansas City area in Ingram's Magazine.
- Heart n' Hand is moving from the house on Lilliard to 200 B Street.
- The City is trying to find out the best use for the Markey Business Park by getting an appraisal of the City owned land.
- An SUP proposal from Benjamin Ranch for a horserace track on land near Prospect and 58 Highway is to be considered at the December 16, 2013 Commission meeting.

ADJOURNMENT

Commissioner Crate moved to adjourn the meeting. Commissioner Thompson seconded the motion. All voted in favor and the meeting adjourned at 9:30 p.m.

Ann Keeton
Community Development Secretary