

PLANNING AND ZONING COMMISSION

July 11, 2011

The Planning and Zoning Commission, City of Kearney, Missouri, met in regular session at 6:30 P.M., July 11, 2011 at Kearney City Hall with Kathy Whipple presiding. Members present were Heath Courtney, Kim Murphy, Eric Shumate and Dan Holt. Darren Hiley and Kent Porter were absent. Staff members present were David Pavlich and Shirley Zimmerman.

Kathy Whipple opened the meeting with the Pledge of Allegiance.

OATH OF OFFICE Shirley Zimmerman administered the Oath of Office to Eric Shumate. He will be filling the unexpired term of Doyle Riley.

CONSENT AGENDA

➤ Minutes of the February 14, 2011 meeting

A motion was made by Kim Murphy and seconded by Heath Courtney to approve the Consent Agenda as presented. The motion carried unanimously.

PUBLIC HEARINGS

PWSD # 8 – REZONING TO C-COMMERCIAL Staff presented an application from PWSD # 8, located at 903 South Jesse James Farm Road to rezone the property currently outside the City limits to match the zoning classification of the district property already within the City to C-Commercial.

Staff presented a Staff Report dated July 11, 2011 and recommended approval contingent on annexation of the property and meeting all Staff comments.

Staff said they recently de-commissioned their water plant and removed the water plant structures. The district property is 10 acres in size and the district desires to sell off the excess property, now that the water plant is removed.

Staff said only the front portion of the property is currently within the City limits. They have submitted an annexation request for the remaining 8.24 acres of the property to the City of Kearney for their July 18, 2011 meeting.

The floor was opened to the public.

There being no comments from the public, the floor was closed to the public.

PWSD # 8 – REZONING TO C-COMMERCIAL-CONT Dan Holt ask what they would be doing with the back section of the property. Rex Brinker, PWSD # 8, said they would be doing nothing with the back section. They intend to declare it surplus property and sell it.

Heath Courtney said the west end of the property touches Jesse James Road but he wondered if there was room for a roadway to the property. Rex Brinker said there is room to have a road there.

Dan Holt asked if there had to be 10 feet on each side of the road. Ron Cowger, AGC Engineers, said they have studied the area and there is room for an access road in that area. He said there doesn't have to be side setbacks for roadways.

Dan Holt asked if this area would be in the flood plain for the 2012 new flood plain maps. Staff said yes but that isn't effective at this time. He said he just wondered if we needed something in place if the property sold.

Heath Courtney asked what the gravel road that comes off 92 Highway was for. Mr. Brinker said that was their easement to a well site that has now been de-commissioned. He said they are going through DNR to get rid of all the well sites.

Eric Shumate asked if that easement would stay. Mr. Brinker said that easement doesn't go with this piece of property.

A motion was made by Kim Murphy and seconded by Dan Holt to recommend to the Board of Aldermen to approve the application from PWSD # 8, located at 903 South Jesse James Farm Road to rezone the property currently outside the City limits to match the zoning classification of the district property already within the City to C-Commercial, contingent upon approval of the annexation by the Board of Aldermen and meeting all Staff comments. The motion carried by a vote of four to one with Heath Courtney voting nay.

NEW BUSINESS

PWSD #8 – MINOR SUBDIVISION FINAL PLAT Staff presented an application from PWSD #8, 903 S. Jesse James Farm Road, for a final plat to subdivide the property into 1.03 and 8.72 acre lots.

Staff presented a Staff Report dated July 11, 2011 and recommended approval contingent upon annexation and rezoning and meeting Staff comments.

Staff said the water district's office is located on the smaller lot. The district plans to sell the larger lot, which could be developed at some time in the future.

PWSD #8 – MINOR SUBDIVISION FINAL PLAT-CONT A motion was made by Kim Murphy and seconded by Heath Courtney to recommend to the Board of Aldermen to approve the application from PWSD #8, 903 S. Jesse James Farm Road, for a final plat to subdivide the property into 1.03 and 8.72 acre lots contingent upon annexation and rezoning of the property and meeting all Staff comments. The motion carried unanimously.

PWSD #8 – SITE PLAN FOR BUILDING ADDITION AND OUTBUILDING

Staff presented an application from PWSD # 8, 903 S. Jesse James Farm Road, for a site plan to construct a 1,920 square foot garage addition on the east end of their existing building and a separate 900 square foot outbuilding for storage of materials.

Staff presented a Staff Report dated July 11, 2011 and recommended approval contingent upon annexation and rezoning and meeting all Staff comments.

Staff said the proposed garage addition will be metal, matching the existing building and the same color. Garage doors will be located on the north and south sides of the addition. The outbuilding will be of like materials and colors as the existing building and addition. The outbuilding will be open on the north side to allow for access to the stored materials.

Staff said the District has proposed to install permeable pavers in the area of the outbuilding and behind the new garage addition. These areas are not high traffic areas and will not be utilized by customers.

Heath Courtney asked if our City codes say anything about pavers. Staff said our Code just says it has to be a dust-free hard surface.

Dan Holt said he was concerned about the pavers being close to the property line. Staff said there are no side setbacks in regard to parking lots or driveways.

Ron Cowger, AGC Engineers, said pavers are a relatively new thing being used. He said they help storm water control. He said we will eventually see cities start to update codes to include them to help with storm water control.

Kathy Whipple asked what will keep the pavers level if heavy vehicles drive on them. Ron Cowger said you have a real solid base under them and they are 3 ½ to 4 ½ inches thick. He said the vehicles driving on this won't be heavy and won't be doing any turning on them so they should hold up well. He said this will be a good location to try these out for that reason.

Kim Murphy asked what kind of grass would be used around them. He said he recommended buffalo grass. Mr. Brinker said they would be using K31 Fescue.

Heath Courtney said our current codes don't have anything for pavers. He said maybe we need to update the code.

PWSD #8 SITE PLAN FOR BUILDING ADDITION AND OUTBUILDING CONT

Heath Courtney asked if the access area into Lot 2 from Jesse James Farm Road was large enough for a commercial drive. Mr. Cowger said it was.

Dan Holt said he is concerned about encroachment on the adjoining property.

Heath Courtney said he feels it would be better to escrow money for the sidewalk and then do the sidewalk after the road is widened or other development occurs in the area. Mr. Brinker said because they will be providing the labor he wanted to go ahead and do the sidewalk now.

A motion was made by Kim Murphy and seconded by Heath Courtney to recommend to the Board of Aldermen to approve the application from PWSD # 8, 903 S. Jesse James Farm Road, for a site plan to construct a 1,920 square foot garage addition on the east end of their existing building and a separate 900 square foot outbuilding for storage of materials contingent upon approval of the annexation and rezoning and Staff comments 2 through 6. The motion carried by a vote of four to one with Heath Courtney voting nay.

INFORMATION AND DISCUSSION ITEMS

KIM MURPHY – SIGNS Kim Murphy asked how we handle signs for commercial business that are not on the location of the business. He said the Northern Hills Baptist Church banner for joining their school this fall is at Kearney Trust Company.

He said he is also concerned about the timers, etc. on the stop lights at 33 and 92 Highway. He said if you are northbound turning left onto 92 Highway of a morning you sit there a long time and there may not even be any traffic on 92 Highway.

KATHY WHIPPLE – OFFICERS Kathy Whipple asked if we shouldn't have elected officers for the next year. Staff said that is usually done in June and we didn't meet in June. They will put it on the next agenda.

DAN HOLT – MCC SURVEY Dan Holt asked if anyone had read the survey results from the survey conducted by the Metropolitan Community Colleges. He said business owners taking the survey indicated that the City of Kearney and the Planning and Zoning Commission are hard to deal with. He said he felt those comments were led by one business person.

ADJOURNMENT There being no further business on the agenda, a motion was made by Dan Holt and seconded by Kim Murphy to adjourn. The motion carried unanimously.

APPROVED: _____ **ATTEST:** _____
Kathy Whipple, Chairperson **Darren Hiley, Secretary**

