

PLANNING AND ZONING COMMISSION

January 14, 2012

The Planning and Zoning Commission, City of Kearney, Missouri, met in regular session at 6:30 P.M., January 14, 2012 at Kearney City Hall with Kim Murphy presiding. Members present were Eric Shumate, Heath Courtney, Dan Holt and Kent Porter. Darren Hiley and Kathy Whipple were absent. Staff members present were David Pavlich, Chad Coffelt and Shirley Zimmerman.

Kim Murphy opened the meeting with the Pledge of Allegiance.

CONSENT AGENDA

➤ Minutes of the December 10, 2012 meeting

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

PUBLIC HEARINGS

SHANKS MAJOR COMMERCIAL CENTER, LOT 1D—APPROVAL OF C-P DISTRICT AMENDED PLAN FOR BUILDING Staff presented an application from Gary Shanks for approval of rezoning with an amended C-P – General Commercial Planned District Plan because the existing approved “P” District Plan identifies only a vacant lot for Shanks Major Commercial Center, Lot 1D.

Mr. Shanks proposes to move an existing 1,680 square foot building from 501 West 92 Highway (SE corner of I-35 and 92 Highway) to vacant lot along Centerville Avenue between the Quality Inn and the vacant Pink House Barbecue properties. Development of the Centerville site will include moving the building and construction of a lower floor, two small parking lots and detention basin.

Staff said MoDOT will require a permit and the move must be performed by a MoDOT approved building mover. In addition, approval is required by the Board of Aldermen to verify that the contractor has proper insurance coverage.

A sidewalk will be installed along the entire frontage of the property, providing a pedestrian connection between the Quality Inn and Pink House Barbecue properties.

A trash enclosure is located near the driveway entrance, which will be designed to match the building. Due to the slope of the driveway, it is not practical to locate the enclosure behind the building. It will be moved to a location behind the front building line.

An existing monument sign located on the property will be relocated as well. A sign permit is required and the sign face needs to be replaced with signage for an existing business or replaced with a blank face. No wall signs are proposed. The monument sign

SHANKS MAJOR COMMERCIAL CENTER, LOT 1D—APPROVAL OF C-P DISTRICT AMENDED PLAN FOR BUILDING-CONT

may be relocated to the front of the property, but must maintain at least a five foot setback from the front property line and not be located within a sight triangle for the driveway.

An existing detention basin for the area is located East of the site, along the West side of North Country Avenue between the car wash and vacant Pink House Barbecue building. That basin was not constructed to plan. This project proposes to construct a separate detention basin at the Northeast corner of the lot, to serve the lot.

Kim Murphy asked if we approve this rezoning plan tonight could the applicant build a new building on the site if they chose to. Staff said that is correct.

The floor was opened to the public.

Gary Shanks, applicant, said the person, who moved Kookie Rickel's second building and raised the houses that Tim Chase and Roger Clemons remodeled, will be doing the moving of the building. He said he has all the permits required from MoDOT.

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

Kent Porter asked if a foundation would be poured for the building. Gary Shanks said it will have a full basement.

Kent Porter asked if there were any restrictions in the subdivision in regard to exterior of buildings. Gary Shanks said there are no restrictions in the subdivision.

Heath Courtney said there is a dotted line on the plat and he wondered if the lot was being split. Staff said there is no lot split at this time.

Heath Courtney asked where the trash corral will be moved to. Staff said it will be behind the front line of the building and between the building and driveway going to the lower parking lot in the back.

Heath Courtney asked what will happen to the old site. He said he was concerned about the opening from the building not being secured until the new development happens. Gary Shanks said Tim Harris will have a dozer there to fill it in and if not, then Chris Shipley will take care of it. He said the current site just has a crawl space under it and is only about three or four feet deep.

Dan Holt asked for a clarification of the location of the trash corral. He said he agrees that it can't be behind the building. He said in winter weather the trash truck would have a terrible time picking up.

A motion was made by Dan Holt and seconded by Kent Porter to recommend to the Board of Aldermen to approve the application of Gary Shanks for approval of rezoning

SHANKS MAJOR COMMERCIAL CENTER, LOT 1D—APPROVAL OF C-P DISTRICT AMENDED PLAN FOR BUILDING-CONT with an amended C-P – General Commercial Planned District Plan because the existing approved “P” District Plan identifies only a vacant lot for Shanks Major Commercial Center, Lot 1D contingent upon meeting Conditions 1 thru 10 of Staff Report dated January 14, 2013. The motion carried unanimously.

INFORMATION & DISCUSSION ITEMS

UPDATES **Casey’s General Store** Staff said the Board of Aldermen approved the application for Casey’s General Store to build on an addition to the current building.

Shoppes of Kearney Staff said the lawsuit was settled and the land deal completed for the Shoppes of Kearney. They should be in with plans in the next couple weeks.

Building Codes Staff said the Board of Aldermen approved purchasing the 2012 Codes manuals. Staff will be going over it to decide what exceptions to make. After the Board of Aldermen approves those there will be a ninety day waiting period for comments from the public before final approval.

Kent Porter asked if we would be making several exceptions. Staff said we will. We will follow the guidelines of the County and surrounding cities.

Staff said included with this will be a property maintenance code.

92 Highway Widening Staff said MoDOT will be letting bids on February 22nd and should be ready to proceed after that.

Second I-35 Interchange Staff said there should be more public meetings in February or March in regard to a second I-35 interchange.

ERIC SHUMATE Eric Shumate said he is concerned about the appearance of the entrance to the City. He said a large purple recycling container has now joined the other containers at Big V parking lot. He asked Staff to check about recycling containers. He said he felt they should follow same guidelines as trash enclosures.

KIM MURPHY Kim Murphy said he had been selected to serve on the Clay County Committee to work on forming the Charter Government for Clay County. He said as a result he was submitting his resignation from the Planning and Zoning Commission to the Mayor. He said he had enjoyed serving on the Commission for the past twelve years but felt he needed to devote all his time to the Clay County position now.

ADJOURNMENT There being no further business on the agenda, a motion was made by Eric Shumate and seconded by Heath Courtney to adjourn. The motion carried unanimously.

Approved: _____ **Attest:** _____
Kim Murphy, Acting Chairman **Darren Hiley, Secretary**