

PLANNING AND ZONING COMMISSION

October 14, 2013

The Planning and Zoning Commission, City of Kearney, Missouri, met in regular session at 6:30 P.M., October 14, 2013, at Kearney City Hall with Kathy Whipple presiding. Members present were Kent Porter, Dan Holt, Eric Shumate, Heath Courtney and Doyle Riley. Member absent was Darren Hiley. Staff members present were David Pavlich, Chad Coffelt and Shirley Zimmerman.

Kathy Whipple opened the meeting with the Pledge of Allegiance.

CONSENT AGENDA

- Minutes of the September 9, 2013 meeting

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

PUBLIC HEARING

SIGN AMENDMENT Staff presented an amendment to the Sign Ordinance based on signage proposed by True Value hardware store. True Value is considering opening a store in Kearney in the former John's Super location, at the southwest corner of 92 Highway and I-35.

Staff said the amendment includes three parts:

1. Increasing the maximum height allowed for pole signs on properties within 200 feet of Interstate 35 from 40 feet to 50 feet;
2. Increasing the maximum height allowed for commercial monument signs from 6 feet to 7 feet six inches;
3. Allowing multiple wall signs for a business in a multi-tenant building.

Staff said this would allow a large store front building with multi-tenants to have multiple smaller signs as long as the total isn't more than ten percent of the building.

The floor was opened to the public.

Dick Kramer, 303 West 11th Street, said he was for this sign change.

John Sandt, True Value agent, said it is their desire to put a store in the former location of John's Super. He said the corporate office is adamant about the signage. He said their sign company from Texas normally recommends eight to ten foot tall monument signs. Mr. Sandt said the position of this store front sets back off the main highway so signage is very important.

SIGN AMENDMENT-CONT Mr. Sandt said the main office for the owner is Maryville, Missouri. It is a family store that has grown to four stores. He said they intend to be here for a long time. If they only have one sign and it sits low it will impact the highway traffic being able to see them.

There being no more comments from the floor, the floor was closed.

Heath Courtney asked if there were any compelling issues to cause this change. Staff said it came from this request.

Dan Holt said the Hotel asked for a larger sign and we said no. He said Platte Clay Electric wanted a taller pole sign and we told them no. He said with the placement of the pole sign by Stables and TDR Car dealership it is already higher than the other signs in the area. He said he didn't have a problem with multiple signs on a large building front with multi tenants.

Eric Shumate asked what counts as a sign. Staff said you use lines around words to calculate the percentage.

Doyle Riley asked Mr. Sandt if there are any statistics on how much business is local and how much is highway traffic. Mr. Sandt said usually 80 to 85 percent is local. He said it is the intent to keep people shopping local.

Doyle Riley said the pole sign is on a hill top much taller than the surrounding area so he doesn't see the need for another ten feet.

Kathy Whipple said if we make these changes every new business coming to town will want us to change the rules.

Eric Shumate said he doesn't think we should change the height of signs but multiple signs on a building are fine.

Heath Courtney said if there are multiple tenants do the signs have to be compatible. Staff said usually the property owner settles that with the tenants.

Dan Holt said we didn't allow Caseys, CVS or American Pride car wash to have taller monument signs so we can't be making changes now.

Kathy Whipple said this is a wonderful addition to our community but we have had so many requests to change sign heights and we have always said no so we can't change now.

A motion was made by Heath Courtney and seconded by Doyle Riley to recommend to the Board of Aldermen to approve changing the Sign Ordinance by allowing multiple wall signs for a business in a multi-tenant building but not change the height of pole signs

SIGN AMENDMENT-CONT to fifty feet or change the height of monument signs to seven feet six inches. The motion carried unanimously.

NEW BUSINESS

TRUE VALUE – MINOR SITE PLAN APPROVAL Staff presented an application from John Sandt, True Value Hardware, who is planning to open a store in the former John's Super location at 655 West 92 Highway. They propose to install two free-standing signs, including a pole sign and a monument sign with a changeable copy reader board and wall signs.

Heath Courtney said he was concerned about the location of the reader board monument sign being in the island at the entrance to the shopping center. He asked how far back from the road it would be. Staff said it will be back six to seven feet from the tip of the island.

He said if you are sitting in line waiting to get out onto 92 Highway you will have a flashing sign right by your window. He said this could be a distraction to the driver.

He said he is also concerned about a sign saying True Value rather than the shopping center. He said what happens if the True Value goes out of business. Staff said it would become property of the property owner.

Mr. Sandt said they are willing to spend one million or more dollars on this project so they intend to stay in the community. He said they are hiring local people to run the store.

Kathy Whipple asked which direction the flashing sign would face. Staff said it will be readable by East and West traffic.

Doyle Riley said if the monument sign becomes a safety hazard, we would re-address the issue.

Heath Courtney asked if the rental sign is the only lighted sign on the building. Staff said the True Value sign is also lighted.

Dan Holt asked if they were taking over the entire store. Mr. Sandt said not at this time. There is another tenant also going in there. He said if the business does well they would eventually take the entire store.

A motion was made by Dan Holt and seconded by Doyle Riley to approve the application from John Sandt, True Value Hardware, at 655 West 92 Highway to install two free-standing signs, including a pole sign and a monument sign with a changeable copy reader board and wall signs contingent upon meeting the following conditions:

1. Proposed signage to meet the requirements of the sign code;
2. Submittal of a sign permit application prior to installation;

3. Static display of the changeable copy such that changes to the next message are no faster than two (2) second intervals.

The motion carried by a vote of four to one with Heath Courtney voting nay.

Kent Porter returned to the meeting.

KEARNEY SCHOOL DISTRICT –MINOR SITE PLAN FOR MONUMENT SIGN

Staff presented an application from the Kearney School District to install a new monument sign with changeable copy reader board at the high school. The location would be on the east side of the Campus Drive entrance, which is the western entrance next to the baseball field.

The sign will be six feet tall with a 32 square foot sign face and brick base. The sign code requires that monument signs in residential districts be turned off between the hours of 10:00 P.M. and 5:00 A.M. Churches and Schools are allowed monument signs in residential.

Dan Holt asked how close to 19th Street the sign would be. He said he was concerned about it being too close and then have to be moved if they ever widen 19th Street in that area. Staff said it will be thirty feet from the street.

Heath Courtney asked if the part of the graphic that says Give Thanks is the changeable copy reader board. Staff said that is correct.

Eric Shumate asked if it was a two sided sign. Staff said it is and will face east/west for reading.

A motion was made by Heath Courtney and seconded by Kent Porter to approve the application from the Kearney School District to install a new monument sign with changeable copy reader board at the high school, being on the east side of the Campus Drive entrance, which is the western entrance next to the baseball field. The motion carried unanimously.

SHOPPES AT KEARNEY-SITE PLAN FOR QUIK TRIP ON LOT 5 Staff presented an application from Matt Brooks, Quik Trip Corporation, to construct a 5,900 square foot gas station and convenience store with a 16 pump fuel canopy and associated parking and landscaping on Lot 5 of the Shoppes at Kearney. The lot is approximately 1.8 acres located on the south side of 92 Highway between the proposed Star Drive and existing Fuel Expresso. Other site improvements include a bike rack, outside dining area and Red Box kiosk.

Staff said access to the site is provided by a right-in/right-out entrance along 92 Highway at the northeast corner of the site, two driveways along Star Drive and a driveway along Platte Clay Way. The intersection at Star Drive and 92 Highway will include a right-in/right-out for eastbound 92 traffic and a left-in only for westbound 92 traffic. A left turn movement from Star Drive onto westbound 92 Highway will not be allowed.

SHOPPES AT KEARNEY-SITE PLAN FOR QUIK TRIP ON LOT 5-CONT Staff said the proposed parking behind the building will require modifications to the drainage basin. The engineers believe the proposed modifications will be acceptable.

Heath Courtney asked about the traffic pattern in the parking lot. Mr. Brooks said most customers shop at the gas pumps. He said there are three entrances on three sides of the building to help separate the fuel traffic from the store traffic.

Heath Courtney said it looks like the underground tanks are up front and he wondered if fuel tankers will interfere with car traffic. Mr. Brooks said they usually fill tanks at night and it only takes ten to fifteen minutes to do. He said at this time they should only fuel once a day. It said they are located there to help protect the driver from customer traffic.

Heath Courtney asked where the trash enclosure was located. Mr. Brooks said it is by Platte Clay Way.

Eric Shumate asked if the detention basin was designed with a ring wall. Mr. Brooks said yes. He said it is deeper and will have a wall around it. The water will go into the box culvert.

Doyle Riley asked if Tract B is undevelopable. Mr. Brooks said yes.

Doyle Riley asked if there was a public entrance from the rear of the building. Mr. Brooks said no. That area will be for a vendor entrance.

Kathy Whipple said she was glad to see sidewalks and a bike rack to help promote walkers and bikers. She said this is a wonderful site plan.

A motion was made by Kent Porter and seconded by Heath Courtney to recommend to the Board of Aldermen to approve the application from Matt Brooks, Quik Trip Corporation, to construct a 5,900 square foot gas station and convenience store with a 16 pump fuel canopy and associated parking and landscaping on Lot 5 of the Shoppes at Kearney contingent upon meeting all Staff comments. The motion carried unanimously.

BIG BURGER-SITE PLAN FOR PARKING LOT EXPANSION Due to the applicant not being in attendance, a motion was made by Doyle Riley and seconded by Heath Courtney to table the application until the next meeting. The motion carried unanimously.

INFORMATION & DISCUSSION ITEMS

NEXT MEETING Staff said if a meeting is necessary for November we would like to move it to November 14th since the 11th is Veterans Day. That date was fine with everyone.

Dan Holt asked if we had received a new plan for trees/landscaping for the Grocery Store in the Shoppes of Kearney. Staff said they had been meeting with Larkin and they had approved a plan.

Heath Courtney asked what was decided about the van advertising Party Place Liquor in the parking lot. Staff said the City Attorney said there was nothing in our ordinances prohibiting it.

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

Approved: _____ **Attest:** _____
Kathy Whipple, Chairperson **Darren Hiley, Secretary**