

PLANNING AND ZONING COMMISSION

November 10, 2014

The Planning and Zoning Commission, City of Kearney, Missouri, met in regular session at 6:30 P.M., November 10, 2014, at Kearney City Hall with Darren Hiley presiding. Other members present were Doyle Riley, Chuck Davis and Dan Holt. Kathy Whipple, Eric Shumate and Kent Porter were absent. Staff members present were David Pavlich, Chad Coffelt and Shirley Zimmerman.

Darren Hiley opened the meeting with the Pledge of Allegiance.

CONSENT AGENDA

- Minutes of the October 13, 2014 meeting

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

NEW BUSINESS

SHOPPES AT KEARNEY – LOT 2, BLDG H SITE PLAN Staff presented an application from Star Development to build an 11,000 square foot commercial retail building with associated parking and landscaping on Lot 2 of the Shoppes at Kearney. The building is identified as Building H on the Shoppes preliminary development plan.

Access to the site is provided by two entrance drives off of Watson Drive. The drives will provide access to future building sites, as well. The layout provides for two access points to a proposed drive-thru, with one being at the north end around the back of the building and the other being at the Southwest corner of the site.

The site plan proposes a drive-through at the South end of the building, which has been added since approval of the preliminary development plan for the Shoppes. City codes require a traffic report for motor vehicle oriented businesses. The City's traffic engineer has indicated that the traffic report submitted as part of the overall Shoppes project is adequate and that an updated report is not required.

Stormwater from the building and parking lot will be directed to the existing detention basin located on Tract A, which was designed as part of the preliminary plat and engineering plans.

The project proposes 47 parking spaces, including two ADA parking spaces. At least one of the ADA spaces will need to be signed as van-accessible. The developer acknowledges that parking provided is eight fewer than is required for this individual building. However, the overall development will have more spaces than required.

SHOPPES AT KEARNEY – LOT 2, BLDG H SITE PLAN Due to the site's close proximity to residences at the North end of Regency Drive, Staff recommends a condition that construction is limited to within the hours of 7:00 AM and 7:00 PM.

Chuck Davis asked if the drive at the North end is one way. Ron Cowger, AGC engineer for the project, said yes and there will be arrows and Do Not Enter signs posted.

Dan Holt asked how many units there would be in the building. Mr. Cowger said there could be up to nine stalls in the building. He said he believed there would probably only be four because one committed to that building will use four stalls.

Dan Holt asked if they will need permission to work later when pouring the floor like Price Chopper did. Mr. Cowger said he didn't believe so because this is much smaller.

Dan Holt asked if the off building signage would be lit. Mr. Cowger said the directional signs will be internally lit and he didn't believe there would be a monument sign.

Dan Holt asked if a trash truck can make the turn into the trash corral. Mr. Cowger said they had an engineer review that and they will be able to make the turn.

Darren Hiley said he would rather see the site meet the parking code now. He also questioned if the handicap parking requirement would be the same if it was two buildings. Staff said the handicap parking requirement wouldn't change.

Ron Cowger said they could go ahead and do the eight parking spaces on the South side of the South entrance. He said they would rather do asphalt than concrete because it would be easier to tear out if they changed the development to the South of this site.

There was discussion about adding Item 8 to the recommendations to approve using asphalt instead of concrete for the additional eight parking spaces.

A motion was made by Dan Holt and seconded by Chuck Davis to recommend to the Board of Aldermen to approve the application from Star Development to build an 11,000 square foot commercial retail building with associated parking and landscaping on Lot 2 Building H of the Shoppes at Kearney contingent upon meeting all Staff recommendations with the addition of Item 8 to allow asphalt curbs rather than concrete on the additional 8 parking stalls. The motion carried unanimously.

ESTATES OF MARIMACK – FINAL PLAT Staff presented an application from Craig Porter, Marimack Development, for the Estates of Marimack First Plat Final Plat proposing to subdivide 11.35 acres into 40 single-family residential lots with associated road right-of-way and easements.

The Final plat is consistent with the amended preliminary development plan, which was approved by the Planning and Zoning in February 2014. Lots 39 and 40 were actually shown on the approved preliminary development plan as part of future Phase 2. Staff

ESTATES OF MARIMACK – FINAL PLAT considers this a minor variation from the approved plan. Phase 2, consisting of a cul-de-sac with now 12 lots, will remain undeveloped at this time.

Development of this project will provide a connection from East Washington Street, along South Marimack Drive to 92 Highway. A temporary cul-de-sac will be constructed at the North end of the project. A similar turnaround is not required at the end of South Marimack Court.

A small portion of the Villas of Marimack is being replatted as part of Lot 2 on the final plat. A general utility easement, platted as part of the Villas plat is located through the middle of Lot 2. As part of the proposed final plat, this utility easement will be relocated East to the Lot 2 property line. The various utility companies have been contacted and the City has not received objection from any of the utility companies and or city water/sewer department. A title company has advised the City to include a statement of the final plat ordinance and have the ordinance recorded alongside the final plat.

In addition, an existing easement to Ameren is located through the middle of several lots. The developer is working with the electric company to vacate the easement prior to recording of the final plat, allowing the easement to be removed from the plat.

Dan Holt asked if we approve this tonight can we be assured the easement will get removed. Ron Cowger said they won't approve the plat until the easement is vacated.

Staff said they will provide a \$10,000 10-year letter of credit for 50 percent of construction cost of a sidewalk along East Washington from the project West to Prospect Street per a development agreement with the first phase. The City will do that sidewalk.

Darren Hiley asked when the sidewalks will be done along the open space tract. Staff said that is done at the time the streets are constructed, which was also acknowledged by Ron Cowger.

A motion was made by Doyle Riley and seconded by Dan Holt to recommend to the Board of Aldermen to approve the application from Craig Porter, Marimack Development, for the Estates of Marimack First Plat Final Plat proposing to subdivide 11.35 acres into 40 single-family residential lots with associated road right-of-way and easements contingent upon meeting all Staff recommendations. The motion carried unanimously.

CLEAR CREEK VALLEY – FINAL PLAT Staff presented an application from Chris Shipley, Deer Valley, LLC for Clear Creek Valley Final Plat, proposing to subdivide 11.95 acres into 30 single-family residential lots with associated road right-of-way and easements. Clear Creek Valley was previously known as Clear Creek Ridge 2nd Plat, which was never built out and recorded. The proposed final plat is consistent with the Clear Creek Ridge preliminary plat.

CLEAR CREEK VALLEY – FINAL PLAT Sidewalks will be installed along each lot at the time of building permit. A six foot wide sidewalk is required along the West side of Clear Creek Drive, per the approved preliminary plat.

Ron Cowger said the streets are all in. They are ready to do the water lines if weather permits.

Dan Holt asked if Lot 10 is shaped to allow access to the pond. Mr. Cowger said that is correct.

A motion was made by Dan Holt and seconded by Chuck Davis to recommend to the Board of Aldermen to approve the application from Chris Shipley, Deer Valley, LLC for Clear Creek Valley Final Plat, proposing to subdivide 11.95 acres into 30 single-family residential lots with associated road right-of-way and easements contingent upon meeting all Staff recommendation. The motion carried unanimously.

RS ENTERPRISES – FINAL PLAT REPLAT OF LOT 14 INNOVATION Staff presented an application from Carey Renner, RS Enterprises, LLC and represented by Jim Hedrick for Innovation 2nd Plat Phase 1, Replat of Lot 14 Final Plat, which proposes to subdivide existing Lot 14 into two lots with associated easements. Lot 14 includes approximately 2.94 acres located at the Northeast corner of Sam Barr Drive and Innovation Drive. The lot will be divided into lots 1.20 and 1.74 acres in size.

The Innovation Board of Trustees was established to ensure development in the business park complies with the covenants and restrictions. The Board has reviewed and approved the subdivision of Lot 14 into two lots. Staff said the KADC is also not opposed to this split.

A motion was made by Doyle Riley and seconded by Dan Holt to recommend to the Board of Aldermen to approve the application from Carey Renner, RS Enterprises, LLC and represented by Jim Hedrick for Innovation 2nd Plat Phase 1, Replat of Lot 14 Final Plat, which proposes to subdivide existing Lot 14 into two lots with associated easements contingent upon meeting all Staff comments. The motion carried unanimously.

RACING STAR WHEELS – LOT 14-B INNOVATION SITE PLAN Staff presented an application from Jim Hedrick on behalf of LB Davis with Race Star Wheels proposing to construct a 7,200 square foot warehouse with a small office, restroom and truck dock. The building will be metal, with stucco and concrete block at the building entrance. The building will be a stone color with a red canopy and red stone block, similar to existing buildings at the West end of Couchman Drive.

Dan Holt asked about the future addition shown on the plans. Jim Hedrick said it will go towards Sam Barr Drive and a future drive will be off Sam Barr Drive.

Darren Hiley asked about the status of the future detention pond. Staff said KADC will build that before a new phase is developed. They are looking for funding for that.

RACING STAR WHEELS – LOT 14-B INNOVATION SITE PLAN A motion was made by Dan Holt and seconded by Doyle Riley to recommend to the Board of Aldermen to approve the application from Jim Hedrick on behalf of LB Davis with Race Star Wheels proposing to construct a 7,200 square foot warehouse with a small office, restroom and truck dock contingent upon meeting all Staff comments. The motion carried unanimously.

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

Approved: _____ Attest: _____
Darren Hiley, Acting Chairman