

PLANNING AND ZONING COMMISSION

December 14, 2015

The Planning and Zoning Commission, City of Kearney, Missouri, met in regular session at 6:30 P.M., December 14, 2015, at Kearney City Hall with Kathy Barger presiding. Other members present were Dan Holt, Chuck Davis, Jason Hoyt, Kent Porter, Darren Hiley and Doyle Riley. Staff members present were David Pavlich, Chad Coffelt and Shirley Zimmerman.

Kathy Barger opened the meeting with the Pledge of Allegiance.

CONSENT AGENDA

- Minutes of the October 12, 2015 meeting
- 2016 Meeting Schedule

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

NEW BUSINESS

SHOPPES AT KEARNEY – LOT 3A – LA FUENTE SITE PLAN Staff presented an application from Jimmy Mac Construction, representing LaFuente Mexican restaurant, proposing to construct a 5,930 square foot stand alone restaurant on Lot 3A in the Shoppes at Kearney. The site is approximately one acre, located at the Northwest corner of the Watson Drive roundabout.

A minor subdivision plat was reviewed and approved by the Planning and Zoning Commission in March 2015. The plat will subdivide Lot 3 into two lots.

The site is part of a Tax Increment Financing Plan approved by the City's TIF Commission on November 9, 2009. A TIF Redevelopment Agreement between the City and the developer was approved by the Board of Aldermen on August 10, 2012. The Shoppes at Kearney CID and cooperative agreement with the developer were approved by the Board of Aldermen on May 6, 2013. The purpose of the CID is to fund maintenance of the center and collect funds toward an aquatics center.

Staff presented a Staff Report dated 12-14-2015 and recommended approval.

Dan Holt said since this is an existing business in the City does there need to be verbiage anywhere stating that the amount of sales tax for this business for the past year would be exempt from the TIF and CID payments each year. Staff said that is all set up in the development agreement with the developer and the City.

SHOPPES AT KEARNEY – LOT 3A – LA FUENTE SITE PLAN-CONT Kent Porter asked if they would be piping storm water from the parking lot to the detention pond. Staff said that is correct and they won't be holding any water on the site.

Art Akin, Akin, Gordon and Cowger Engineers, said there will be some underground collection to help meet the water quality EPA standards of water that doesn't soak into the clay soil.

Kent Porter asked who ask for this to be done. Mr. Akin said at the moment it isn't being required but once the City reaches 10,000 population they will force the City and developers to start doing this.

Dan Holt asked if any storm water will go directly into the creek. Mr. Akin said no.

Jason Hoyt asked if the west side of the round about is temporary. Staff said yes, that it will develop with development on to the west of it.

Darren Hiley asked about the rock blanket at the entrance to the project. Staff said that is to help prevent mud from getting onto Watson Drive during the construction. That will be surfaced later as a driveway entrance.

Darren Hiley said he is always concerned about enough parking in the shopping centers. He said he isn't crazy about dead end parking in a lot. He asked if spacing between the parking aisles is large enough. Staff said the spacing is wide enough. They will have shared parking adjacent to this business to the southwest.

Chuck Davis asked if the dimensions of the dumpster area is large enough. Staff said it is 12 feet by 12 feet.

Dan Holt asked if the end of the dumpster is right on the property line. Staff said the doors opening up would be on the property line and that is fine.

A motion was made by Darren Hiley and seconded by Jason Hoyt to recommend to the Board of Aldermen to approve the application from Jimmy Mac Construction, representing LaFuente Mexican restaurant, proposing to construct a 5,930 square foot stand alone restaurant on Lot 3A in the Shoppes at Kearney, contingent upon meeting all Staff comments. The motion carried unanimously.

SHOPPES AT KEARNEY – REPLAT OF LOT 2B, FINAL PLAT Staff presented an application from Tim Harris, Star Acquisitions, for the Shoppes at Kearney First Plat Replat of Lot 2B final plat proposing to subdivide Lot 2B in the Shoppes at Kearney into three separate lots.

Proposed Lot 2C includes the building site for both Building I and Building J. An associated site plan application for Building I has been submitted for review and approval. Building J will be constructed some time in the future.

SHOPPES AT KEARNEY – REPLAT OF LOT 2B, FINAL PLAT-CONT Revised
Lot 2B is the future site of Building G. Proposed Lot 2D is identified on the Shoppes development plan as overflow parking. Staff anticipates a proposal will be submitted some time in the future to convert this area to another pad site.

Staff presented a Staff Report dated 12-14-2015 and recommended approval.

Dan Holt said he has a concern about who maintains the parking lots. He said if different individuals sell off property how do we know the parking lots will be taken care of. Staff said the CCR drawn up with the City covers maintenance of the parking lots.

Doyle Riley asked Staff to be sure that verbiage is in the CCR for the Shoppes at Kearney.

A motion was made by Dan Holt and seconded by Doyle Riley to recommend to the Board of Aldermen to approve the application from Tim Harris, Star Acquisitions, for the Shoppes at Kearney First Plat Replat of Lot 2B final plat proposing to subdivide Lot 2A in the Shoppes at Kearney into three separate lots, contingent upon meeting all Staff comments. The motion carried unanimously.

SHOPPES AT KEARNEY – LOT 2C – BUILDING I SITE PLAN Staff presented an application from Star Development, proposing to construct a 10,800 square foot commercial retail building with associated parking and landscaping on Lot 2C of the Shoppes at Kearney. The building is identified as Building I on the Shoppes preliminary development plan.

The site is currently part of Lot 2B. An associated final plat application has been submitted, proposing to subdivide Lot 2B into three separate lots.

The site is part of the Shoppes at Kearney Tax Increment Financing Plan, approved by the TIF Commission on November 9, 2009. A TIF Redevelopment Agreement between the City and the developer was approved by the Board of Aldermen on August 10, 2012. The Shoppes at Kearney CID and cooperative agreement with the developer was approved by the Board of Aldermen on May 6, 2013. The purpose of the CID is to fund maintenance of the center and collect funds toward an aquatic center.

Staff presented a Staff Report dated 12-14-2015 and recommended approval.

Darren Hiley asked where the drainage from this site goes. Staff said it will connect to the west side of Price Chopper. Art Akin gave a brief description of how the drainage will work. Darren Hiley said it should flood the parking lot before any building.

Darren Hiley asked if there would be a drive thru on the south side of the building. Art Akin said it is there in the site plan in the event a tenant would want one.

SHOPPES AT KEARNEY – LOT 2C – BUILDING I SITE PLAN-CONT Chuck Davis said he liked it that they did the design to where you are able to drive all the way around the building. That is nice for shipping and delivery.

A motion was made by Darren Hiley and seconded by Jason Hoyt to recommend to the Board of Aldermen to approve the application from Star Development, proposing to construct a 10,800 square foot commercial retail building with associated parking and landscaping on Lot 2C of the Shoppes at Kearney, contingent upon meeting all Staff comments. The motion carried unanimously.

INFORMATION & DISCUSSION ITEMS

COMP PLAN WORKSHOP Staff reported the workshop for the Comprehensive Plan was held November 18, 2015 and they had visual perception activities for people to do. You can go online and participate in this activity until the end of the week. Then it will close down and we will be ready to move forward.

WATSON DRIVE Staff reported that Watson Drive is open to traffic now. In the spring when construction starts on 19th Street it will close back down for short time.

KENT PORTER Kent Porter asked if there was any news on the I-35 interchange yet. Staff said MoDOT financing is much better now so we will start talking to them again. MoDOT has some 50/50 projects that we might be able to be a part of them.

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

The following bills were presented for payment at the December 14, 2015: