

November 29, 2016

The Planning and Zoning Commission, City of Kearney, Missouri, met in regular session at 6:30 P.M., November 29, 2016 at Kearney City Hall with Kathy Barger presiding. Other members present were Jason Hoyt, Kent Porter, Chuck Davis and Dan Holt. Doyle Riley and Darren Hiley were absent. 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 10, 2016 meeting

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

OLD BUSINESS

DOUG & KATHIE ROCK – CUP FOR RESIDENTIAL IN C DISTRICT

Staff reported that the application for Doug & Kathie Rock for a Conditional Use Permit for a residence in a C-General Commercial Zoning District at 400 South Jefferson Street was approved by the Board of Aldermen based on the discussion at the last Planning and Zoning meeting.

Staff said the reason the Planning and Zoning Commission didn't take action, was because the applicant wasn't in attendance. Staff learned the reason they weren't there was that Kathie Rock was very ill due to her cancer and treatments. Due to her health being part of the reason for the application the Board of Aldermen went ahead and took action.

KEITH PIERCY – CUP FOR VEHICLE SALES/RENTAL AT 700 N COUNTRY

Staff reported that Keith Piercy withdrew his application for a Conditional Use Permit for vehicle sales and rental at 700 North Country Avenue. He said he has a potential buyer for the property.

NEW BUSINESS

CURT MAYES – SITE PLAN FOR 409 NORTH JEFFERSON Staff presented an application from Curt Mayes, Seyam Development proposing to construct a 4,815 square foot commercial retail/office building, with associated parking and landscaping at 409 North Jefferson Street, which is across the street from Dollar General at the southeast corner of 33 Highway/North Jefferson and Boude Street.

CURT MAYES – SITE PLAN FOR 409 NORTH JEFFERSON-CONT Staff said the construction will occur in two phases. Phase 1 will include construction of the new building. As part of Phase 2, the tenants will re-locate into the new building. Then the existing building will be demolished and the parking lot expanded.

Staff said there will be a 35 foot buffer on the East side of the building, adjacent to the multi-family zoning.

Staff said there will be no pole lighting. There will be lighting on the building. Staff said they ask them to add a sidewalk connection from Boude Street to the front of the building.

Dan Holt asked if there would be sidewalks along Boude Street. Staff said yes there will be sidewalk there as well as along the front of the site.

Kent Porter asked if the connection to Boude Street will be just sidewalks. Staff said that is correct. They will use the existing entrance to the property off Jefferson Street.

A motion was made by Dan Holt and seconded by Jason Hoyt to recommend to the Board of Aldermen to approve the application from Curt Mayes, Seyam Development proposing to construct a 4,815 square foot commercial retail/office building, with associated parking and landscaping at 409 North Jefferson Street, which is across the street from Dollar General at the southeast corner of 33 Highway/North Jefferson and Boude Street, contingent upon meeting all Staff comments. The motion carried unanimously.

AMEND AGENDA A motion was made by Kent Porter and seconded by Jason Hoyt to amend the agenda and move to Public Hearings next. The motion carried unanimously.

PUBLIC HEARING

CODE AMENDMENT – CHANGEABLE COPY BILLBOARDS, LAMAR SIGNS

Staff presented an amendment to the Zoning Order allowing changeable message billboards.

Lamar Advertising contacted the City proposing to convert an existing billboard to a changeable message (digital) billboard. Staff said their interpretation of the code is that billboard signs cannot be lighted internally and that a changeable message billboard would not meet code.

The billboard company proposes the City consider an amendment that allows and establishes criteria for changeable message billboards. MoDOT has a permit process for digital billboards, with like criteria for static display and transition from one message to another.

New billboards are allowed by the Code through approval of a conditional use permit. Staff added language to the proposed amendment that would require a conditional use permit to upgrade an existing billboard to a changeable message board.

CODE AMENDMENT – CHANGEABLE COPY BILLBOARDS, LAMAR SIGNS - CONT Kathy Whipple asked if this changes where billboards are allowed. Staff said there are no changes in regard to location.

Kent Porter asked if the sign would be a flashing sign. Bob Fessler, Lamar Advertising, said they will not be flashing. He said the board will be a static display for 10 seconds. They will change in 2 seconds. He said with this type of sign MoDOT can override the sign and post such things as Amber Alerts. He said they will have seven advertising spots on the board. If space is available they allow the City where they are located to use a spot. This sign is on the northbound side of I-35 and is currently the Pence Plumbing billboard.

The floor was opened to the public.

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

A motion was made by Dan Holt and seconded by Jason Hoyt to recommend to the Board of Aldermen to approve the amendment to the Zoning Order allowing changeable message billboards, contingent upon meeting all Staff comments. The motion carried unanimously.

Due to conflict of interest on the next items on the agenda, Kent Porter left the meeting.

NEW BUSINESS

WESTWOOD VILLAGE 4TH PLAT-AMENDED PRELIMINARY PLAT

Staff presented an application from Deer Valley, LLC, represented by Craig Porter and Chris Shipley for an amended preliminary plat for the area of Westwood Village, 4th Plat. The plan proposes 35 single-family lots and one tract on 12.65 acres.

Staff said the previous approved plan includes 33 single family lots and one tract in Westwood Village 4 area. The tract is designated for a stormwater detention basin and an existing sanitary sewer lift station.

Staff said an existing detention basin, located at the northwest corner of the Westwood subdivision, was designed to offset the basin in the Westwood Village 4th Plat area. The City's engineer approved the design.

Staff said the layout of the proposed phase is consistent with the original preliminary plat.

Staff said two neighbors attended the last meeting. They had no problem with the Plat as presented. Staff said they also talked to the treasurer of the HOA and they were fine with it also.

Kathy Barger asked if the City engineer was fine with the detention area with the additional of the two lots. Staff said they were fine with it.

WESTWOOD VILLAGE 4TH PLAT-AMENDED PRELIMINARY PLAT-CONT A motion was made by Chuck Davis and seconded by Jason Hoyt to recommend to the Board of Aldermen to approve the application from Deer Valley, LLC, represented by Craig Porter and Chris Shipley for an amended preliminary plat for the area of Westwood Village, 4th Plat, contingent upon meeting Staff comments. The motion carried unanimously.

WESTWOOD VILLAGE 4TH PLAT – FINAL PLAT Staff presented an application from Deer Valley, LLC, represented by Craig Porter and Chris Shipley for Westwood Village 4th Plat, final plat, proposing to subdivide 12.65 acres into 35 single-family residential lots with associated road right-of-way and easements.

Staff said the original developer of the subdivision previously installed some of the public improvements, including water lines, sanitary sewer and storm sewer. The layout of the proposed lots is consistent with the preliminary plat.

Staff said no money was set aside for infrastructure improvements by the previous developer. The new developer will be expected to address off-site improvements. A new development agreement will be done before going to the Board of Aldermen.

A motion was made by Dan Holt and seconded by Jason Hoyt to recommend to the Board of Aldermen to approve the application from Deer Valley, LLC, represented by Craig Porter and Chris Shipley for Westwood Village 4th Plat, final plat, proposing to subdivide 12.65 acres into 35 single-family residential lots with associated road right-of-way and easements, contingent upon meeting all Staff comments. The motion carried unanimously.

ENCLOSURES-INFORMATION ITEMS

GAVIN'S GROVE Staff reported that Jim Robertson has purchased Gavin's Grove and requested to rename the subdivision Noah's Landing and to re-number the phases. He wants to start on the East side instead of the West side of the subdivision.

COMPREHENSIVE PLAN Staff reported that the new Comprehensive Plan will be presented at the December 12th meeting.

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

Approved: _____ Attest: _____
Kathy Barger, Chairman Darren Hiley, Secretary