

## **PLANNING AND ZONING COMMISSION**

August 14, 2017

The Planning and Zoning Commission, City of Kearney, Missouri, met in regular session at 6:30 P.M., August 14, 2017 at Kearney City Hall with Kathy Barger presiding. Other members present were Kyle Creeden, Jason Hoyt, Darren Hiley, Eric Shumate, Chuck Davis, and Kent Porter. Staff members present were David Pavlich and Chad Coffelt.

Kathy Barger opened the meeting with the Pledge of Allegiance.

### **CONSENT AGENDA**

The following items were presented for the Planning and Zoning Commission to approve:

- Minutes of the July 10, 2017 meeting

A motion was made by Chuck Davis and seconded by Jason Hoyt to approve the consent agenda. The motion carried unanimously.

### **NEW BUSINESS**

**INNOVATION BUSINESS PARK, LOT 14-B – 982 INNOVATION DRIVE - SITE PLAN FOR REACE STAR WHEELS BUILDING EXPANSION** Staff presented an application from LB Davis with Race Star Wheels, represented by Jim Hedrick, Hedrick Construction, proposing to construct an 8,980 sf building addition at 982 Innovation Drive. The addition will be connected to the original building by a 16' wide breezeway, include two new dock doors facing the parking lot, and be a light stone color, with burgundy wainscot facing Sam Barr Drive, similar to the existing building. Additional landscaping and seven (7) additional parking spaces are also proposed.

As part of the project, the applicant proposed to enclose a ditch along the north property line. Submittal of engineering plans are required for review and approval by the City Engineer. A temporary construction easement may be needed from an adjacent property owner, as well.

The proposal has been approved by the Innovation Business Park Board of Trustees.

Kyle Creeden asked if there was adequate fire protection. Jim Hedrick said a fire hydrant is located at the property's entrance along Innovation Drive. Another hydrant is located along Sam Barr Drive at the northwest corner of the property.

Eric Shumate asked if the ditch proposed to be enclosed is the same drainageway that KADC had to pay mitigation fees for, as part of the detention basin project. Staff said that the ditch branches off from that channel, but leads into it.

**CODE AMENDMENT – INCREASE MAXIMUM ALLOWED HEIGHT IN THE ‘C – GENERAL COMMERCIAL DISTRICT’ (cont’d)**

A motion was made by Darren Hiley and seconded by Jason Hoyt to recommend the Board of Aldermen approve the site plan application from LB Davis, Race Star Wheels, proposing to construct an 8,980 building addition contingent upon meeting all staff comments. The motion carried unanimously.

**PUBLIC HEARINGS**

**CODE AMENDMENT – INCREASE MAXIMUM ALLOWED HEIGHT IN THE ‘C – GENERAL COMMERCIAL DISTRICT’**

Staff presented a proposed code amendment to increase the allowed maximum height of buildings in the C – General Commercial District from “45 feet or three stories” to “50 feet”. The Kearney Fire & Rescue Protection District was consulted, and they have the equipment and capabilities to fight fires in buildings that are 50 feet tall. In addition, the Building Code and Fire Code establishes criteria for sprinkling buildings and establishing more stringent structural requirements for taller buildings.

Kathy Barger opened the public hearing to comments from the floor. There being none, the public hearing was closed.

Kyle Creeden said that building codes allow for wood construction in buildings up to four stories, or a concrete construction on a first floor with four additional stories of wood construction above. Higher structures must use steel and/or other more stringent requirements. Buildings with overnight stays must meet even more stringent requirements.

The Board asked about the reason for building height requirements. Kyle Creeden said that building heights are established to address views and openness related to adjacent structures and properties.

Kent asked what the maximum allowed height is within the industrial district. Staff said the allowed building height in the industrial district is 60 feet. Darren Hiley said that typical industrial buildings utilize larger footprints, rather than increased building height. Kyle Creeden said building codes drives the height of industrial type buildings.

Kent Porter said he would support increasing the allowed height to 60 feet, to match industrial districts.

Kathy Barger said we should still consider the aesthetics. Would a 60’ building fit along Jefferson Street next to the funeral home.

Eric Shumate agreed that taller buildings may not fit in certain neighborhoods.

Chuck Davis said that building height should depend on location and that he would not be in favor of buildings allowed to be too tall.

**CODE AMENDMENT – INCREASE MAXIMUM ALLOWED HEIGHT IN THE ‘C – GENERAL COMMERCIAL DISTRICT’ (cont’d)**

Kent Porter said there is not much difference between 45 and 50 feet.

Kyle Creeden said that 50 feet would allow no more than 4 stories above grade, when you factor in the HVAC, plumbing, and minimum height clearances needed within each floor. Kathy Barger said that there could be a basement floor, as well. Staff commented that parking requirements increase with more floors and square footage, which results in larger sites and more space between taller buildings and adjacent properties.

A motion was made by Darren Hiley and seconded by Jason Hoyt to recommend the Board of Aldermen approve the proposed code amendment to increase the maximum allowed building height in the C – General Commercial District from “45 or three stories” to “50 feet”. The motion carried by a vote of 5-2. Chuck Davis and Kent Porter voted against.

**ENCLOSURES – INFORMATION ITEMS**

**SHIPPING CONTAINERS AS SELF-STORAGE UNITS** Staff said that they would like some direction from the Commission on a recent inquiry that was received. This item is not part of the agenda. Staff said they were recently contacted by North Kearney Storage, located on west side of North Jefferson at Clear Creek. A copy of the email was passed out to the Commission.

The property is in the floodplain, after the FEMA update in 2015. Elevating the property to three feet above the floodplain to allow structures to be built is not financially feasible. As described in the email, the property owner asked if the use of shipping containers as self-storage units would be an acceptable option. Shipping containers would be placed on the concrete surface, so they are not considered structures. They would be placed side by side in a row, similar to what self-storage buildings look like.

The Commission expressed concerns about allowing shipping containers to be used as self-storage units. Their concerns included weathering of the containers, increased fencing/screening, if allowed on one property, they would need to be allowed at all self-storage locations. The Commission was not in support of allowing shipping containers as self-storage units.

**BOARD DISCUSSION**

**LA FUENTE PARKING & TRASH ENCLOSURES** Kathy Barger asked about the status of the La Fuente parking and trash enclosure gates. She said the Commission approved a conceptual layout early in the year and requested the trash enclosure doors be installed. Staff said a letter has been issued to La Fuente requesting the trash enclosure gates be installed and the waste grease containers be moved inside the enclosures and a letter has been sent to Star Development requesting that they prevent parking in the grass

**LA FUENTE PARKING & TRASH ENCLOSURES (cont'd)** adjacent to La Fuente's and expand the parking lot. The letter request that this work be done by the end of September, which gives some time for engineer review, completion of the construction plans and construction.

**ADJOURNMENT** There being no further business on the agenda, the meeting was adjourned.

**Approved:** \_\_\_\_\_ **Attest:** \_\_\_\_\_  
**Kathy Barger, Chairperson** **Darren Hiley, Secretary**