

PLANNING AND ZONING COMMISSION

September 11, 2017

The Planning and Zoning Commission, City of Kearney, Missouri, met in regular session at 6:30 P.M., September 11, 2017 at Kearney City Hall with Kathy Barger presiding. Other members present were Kyle Creeden, Jason Hoyt, Darren Hiley, Eric Shumate and Kent Porter. Staff members present were David Pavlich and Shirley Zimmerman.

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 August 14, 2017 meeting

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

NEW BUSINESS

CASEY'S CHANGEABLE COPY MONUMENT SIGN Staff presented an application from Casey's General Store, 200 East 92 Highway proposing to convert their existing monument sign to a changeable copy monument sign. The monument sign is used to advertise gasoline prices and this would allow them to change the sign remotely rather than by hand.

The existing brick structure will remain the same; only the sign face will be changed. The sign code requires static display of an electronic reader board or LED sign that may change to the next message at no faster than two second intervals.

A motion was made by Eric Shumate and seconded by Kent Porter to approve the application from Casey's General Store, 200 East 92 Highway proposing to convert their existing monument sign to a changeable copy monument sign contingent upon meeting Staff comments. The motion carried unanimously.

PUBLIC HEARINGS

MACO DEVELOPMENT-REZONE TO R-P-3 WITH PLAN FOR SENIOR HOUSING – OAK WOOD ESTATES Staff presented an application from MACO Development for rezoning approximately 5.93 acres from R-2 Two-Family Residential District to R-P-3 Medium Density Residential Planned District with a concept plan showing the proposed layout and sample building elevations.

MACO DEVELOPMENT-REZONE TO R-P-3 WITH PLAN FOR SENIOR HOUSING – OAK WOOD ESTATES

This site is located along the West side of 33 Highway/North Jefferson Street, between the Kearney Senior Center and Dollar General. Access to the site is via the North end of Clark Street.

Approval of the rezoning would allow for construction of a 44-unit senior housing project, with a clubhouse/office, parking, detention and outside trail/sidewalk improvements. All units will have two bedrooms.

The board is considering only a rezoning, at this time. Future submittals will include site plan, stormwater reports, engineering and final plat.

Access to the site will be located at the North end of North Clark Street. The property fronts onto North Jefferson/33 Highway, along the inside of a curve with reduced visibility. Using Clark Street will be a safer option for older drivers.

In lieu of constructing a 4-5 foot wide sidewalk along Clark Street and North Jefferson/33 Highway, the concept plan proposes to construct a 10 foot wide trail along Clark Street. Clark Street has been identified as a proposed connection for a trail from downtown out to Mack Porter and Jesse James parks.

Sidewalks will also be installed along the front of all units, plus another connection to the Dollar General property, allowing residents to walk to the store.

The site proposes a stormwater basin at the Northwest corner of the site, in the location of a small pond. Detailed stormwater design and calculations will be provided to the City engineer for review at a later date. If additional detention is needed and modifies the development plan, an amended plan may be re-submitted for review.

Ironmike's Welding and Repair is located to the Northwest of the site. Iron Mike submitted a letter to the City requesting stormwater drainage be directed by pipe or ditch across his property. The water/sewer department indicates we have a few water lines, including a raw water line to the water plant, which runs through Iron Mike's property. Staff recommends the stormwater drainage plan assess the feasibility of running stormwater across the Iron Mike Welding and Repair property.

The floor was open to the public.

Jennifer Pederson, 405 North Clark, said she had a power point showing the water running through her property after a two inch rain. She said she is very much in favor of the project but is worried that it will block the flow going through her property. She said she doesn't get water in her house but it gets really close with big rains.

Dan Sanders, MACO Development, said he has been visiting with the Pedersons about their drainage issues and they will address these issues. He said he would be willing to put in another detention basin close to the Pederson Property.

MACO DEVELOPMENT-REZONE TO R-P-3 WITH PLAN FOR SENIOR HOUSING – OAK WOOD ESTATES-CONT There being no further comments from the public, the floor was closed.

Kent Porter said he was concerned about the water issues. He said that area has always been wet and marshy. He asked if it has always flowed like that. Jennifer Pederson said that it increased when Chris Riley bought the car lot property and put in the large pipe with the flow coming back onto them.

Kent Porter said the road bed is 60 plus years old. He asked if there would be some road improvements in the area. He said it is narrow down to Major Street. Staff said they will dedicate land to have the street wide enough.

Darren Hiley asked what the requirement for the buffer on the north side is. Staff said it is 35 feet but it could be reduced to 25 feet.

Darren Hiley said he was ok with a widened sidewalk along Clark Street but not in lieu of a sidewalk on the 33 Highway side. He said he feels the kids from James Point would be safer walking along 33 Highway than through the proposed development. He said he did agree to not have an entrance on 33 Highway.

Kyle Creeden asked where the sidewalk for the emergency entrance would be. Staff said it is on the North side of the property and goes into Senior Center.

Eric Shumate said he would like to see sidewalk along 33 Highway. He said he does like the idea of the other sidewalk being a trail. He said we need to always do things to reduce runoff with every project and shouldn't consider the existing pond as a solution.

Eric Shumate asked if the Fire District bought off on the idea of the trail connection for an emergency entrance. Jeff Fort, Fire District said it was their recommendation because they didn't feel the curve on 33 Highway was a good location.

Kyle Creeden said he would like to see potential for multiple detentions. He said we should always be looking at potential for upstream runoff and look at mitigation to help with it.

Kyle Creeden asked if these would be independent living. Dan Sanders said yes they would be independent living.

Kathy Barger asked if the City was intending to address the water issues in this area. She said they own house to the South and there is always a lot of water thru their yard also. Staff said there is no plan at the present time.

Kathy Barger said she would like the site plan to state that the trail is hard surface.

MACO DEVELOPMENT-REZONE TO R-P-3 WITH PLAN FOR SENIOR HOUSING – OAK WOOD ESTATES-CONT Darren Hiley said he would have trouble voting yes if there wasn't a sidewalk along 33 Highway for kids to walk on.

Kent Porter said it would be much safer for kids to go thru the Senior Center parking lot and then use sidewalk in the MACO project to get to Dollar General.

David Pavlich said if we are going to request sidewalks on both sides then maybe we shouldn't make the sidewalk along the West side be ten feet the entire way.

After discussion it was decided to add the verbiage of hard surface to 1A and add secondary detention basin at the South side of the property to 1D.

A motion was made by Kent Porter and seconded by Jason Hoyt to recommend to the Board of Aldermen to approve the application from MACO Development for rezoning approximately 5.93 acres from R-2 Two-Family Residential District to R-P-3 Medium Density Residential Planned District with a concept plan showing the proposed layout and sample building elevations contingent upon meeting Staff recommendations with the addition of hard surface to the trail and a second detention pond at South side of the property added to the comments. The motion carried by the vote of four to two with Shumate and Hiley voting nay.

INFORMATION ITEMS

HEIGHT OF COMMERCIAL BUILDINGS Staff said we have received the site plan for the new hotel. It has come in at a height of 54 feet including the parafit. This is four feet higher than our new height requirement.

Staff said the Board of Aldermen could change the ordinance to not include the parafit in the height of a building. Kathy Barger and Kent Porter said they didn't have a problem with doing that if it says when along the Interstate.

LA FUENTE Staff reported that La Fuente has been in and said they are going to be doing a replat to buy some extra land. They have gotten engineer approval to run the drive behind the building. They are also planning to expand the trash corral and have room to include the grease trap.

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

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

