

PLANNING AND ZONING COMMISSION

May 14, 2018

The Planning and Zoning Commission, City of Kearney, Missouri, met in regular session at 6:30 P.M., May 14, 2018 at Kearney City Hall with Kathy Barger presiding. Other members present were Darren Hiley, Kent Porter, Chuck Davis, Jason Hoyt and Kyle Creeden. Staff members present were David Pavlich and Shirley Zimmerman. Mayor Holt was also in attendance.

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 March 12, 2018 meeting

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

PUBLIC HEARINGS

TIMBER CREEK-REZONING TO R-1 LOW DENSITY RESIDENTIAL

Staff presented an application from Tim Harris, Star Development, proposing to rezone approximately 28.5 acres to R-1 – low density residential district. The site is located at 14009 Petty Road, ¼ mile south of 19th Street, between Petty Road and the railroad tracks.

Staff said the Board of Aldermen considered a voluntary annexation request at their May 7, 2018 meeting. An annexation ordinance was approved on first reading, and then tabled until after de-annexation from the water district. That should be approved May 31, 2018.

The property is located in an area that includes single-family residential on acreage lots to the north and south and the Greenfield subdivision to the east across the railroad right-of-way.

The Future Land Use Map in the 2004 Comprehensive Plan designated this property for single-family residential development. The 2016 Comprehensive Plan does not identify a future land use for this property.

The floor was opened to the public.

TIMBER CREEK-REZONING TO R-1 LOW DENSITY RESIDENTIAL-CONT

Ron Cowger, AGC Engineering, representing the developer, said this land was formerly part of the quarry property. He said there should be no problem with the detachment from District 6 Water District.

John Walker, 17224 NE 142nd Street, asked if the City will now annex the current neighbors in the area. Staff said the City has no intention to annex anyone at this time. This property is a voluntary annexation and not initiated by the City.

Mr. Walker asked if the road would be paved and have curbs and sidewalks. Staff said yes.

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

A motion was made by Darren Hiley and seconded by Chuck Davis to recommend to the Board of Aldermen to approve the application from Tim Harris, Star Development, proposing to rezone approximately 28.5 acres at 14009 Petty Road to R-1 – low density residential district contingent upon meeting all Staff comments. The motion carried unanimously.

NEW BUSINESS

TIMBER CREEK – PRELIMINARY PLAT Staff presented an application from Tim Harris, Star Development for a preliminary plat for Timber Creek Subdivision located along Petty Road, between Petty Road and the railroad tracks, approximately ¼ mile south of 19th Street subdividing approximately 28.5 acres into 29 single-family residential lots.

Staff said the Board of Aldermen considered a voluntary annexation request at their May 7, 2018 meeting. An annexation ordinance was approved on first reading, and then tabled until after de-annexation from the water district. That should be approved May 31, 2018.

Staff said part of the subject property is located within the 100-year floodplain, per the Federal Insurance Administration’s Flood Insurance Rate Map.

Several lots include a portion of floodplain. The engineer has submitted an exhibit showing building footprints (represented by 60 feet by 60 feet footprint) will be located outside the floodplain. Mortgage companies may still require floodplain insurance for those lots that touch the floodplain. City code now requires that the 100 and 500 year floodplain be shown on building permit plot plans.

Staff said when the survey for the property was prepared, the surveyor determined that the JackBar Estates final plat to the north was drawn in error. The JackBar plat extends too far south, creating an overlap of just under 50 feet onto the subject property.

TIMBER CREEK – PRELIMINARY PLAT-CONT The developer proposes to improve Petty Road along the north side of the project to a 24 foot wide asphalt surface with 2 foot wide curb along the south side and maintain a ditch along the north side. The developer also proposes to re-align this section of road so that it is centered within the 60 foot right-of-way (a shift approximately 10-15 feet along Lots 22 and 23). A full width improvement along the north side of the project is preferable to a ½ street improvement along the north and west sides of the property.

Staff said Tracts A & B are identified as parkland to be dedicated to the City. The Comprehensive Plan identifies a future trail location along the South side of the property. An existing trail is located along Fishing River in the Greenfield subdivision, to the East of the railroad.

Kent Porter said this property used to be a rock quarry. He said there are caves back in there created by the rock quarry. He said if these caves go to the South under Petty Road this could cause issue if a house was built on top of one. He wanted to know if the City would be responsible if something went wrong with a house.

Ron Cowger said they were aware there were caves on some of the property. He said by the information and maps they were given those caves go to the north of Petty Road.

Kent Porter asked if the City was fine with the donation of park land by the developer. Staff said the City is fine with it because our sanitary sewer trunk line goes through that area and this would always give us easy access to it.

Kent Porter asked if Lot 29 enters onto Petty Road. Staff said yes and that is only driveway on Petty Road.

Darren Hiley said he would like to see the road improvements on Petty Road go to 19th Street. Staff said the City will do asphalt on the road but not curb it.

Darren Hiley asked if the City engineer approved no detention on this property. Staff said they did approve it because the property is next to the flood plain. The outlet to the stormwater line will be close to the river and won't cause any flooding to anyone's property.

Kathy Barger asked if the City and Fire Department were fine with the really long cul de sac. Staff said everyone was fine because all these lots are 100 feet wide.

Kyle Creeden asked if Lots 11 and 13 were in the 100 year flood plain. Ron Cowger said they are aware of that and are in process of petitioning FEMA for approval. The elevation of the house would not ever flood.

A motion was made by Kent Porter and seconded by Jason Hoyt to recommend to the Board of Aldermen to approve the application from Tim Harris, Star Development for a preliminary plat for Timber Creek Subdivision located along Petty Road, between Petty

TIMBER CREEK – PRELIMINARY PLAT-CONT Road and the railroad tracks, approximately ¼ mile south of 19th Street subdividing approximately 28.5 acres into 29 single-family residential lots, contingent upon meeting all Staff comments. The motion carried unanimously.

TIMBER CREEK-FINAL PLAT Staff presented an application from Tim Harris, Star Development, for a final plat for Timber Creek Subdivision located along Petty Road, between Petty Road and the railroad tracks, approximately ¼ mile south of 19th Street subdividing approximately 28.5 acres into 29 single-family residential lots.

Staff said the final plat is the same as the preliminary plat just presented.

Kent Porter asked if the developer is fine with donating the park land and also paying the park fee. Staff said yes.

A motion was made by Kent Porter and seconded by Jason Hoyt to recommend to the Board of Aldermen to approve the application from Tim Harris, Star Development, for a final plat for Timber Creek Subdivision located along Petty Road, between Petty Road and the railroad tracks, approximately ¼ mile south of 19th Street subdividing approximately 28.5 acres into 29 single-family residential lots, contingent upon meeting all Staff comments. The motion carried unanimously.

STREET NAME CHANGE – 19TH STREET TO DANE WAY Staff presented a memo in regard to changing 19th Street to Dane Way. Staff said there had been discussions with the passing of Mayor Dane to name the interchange after Mayor Dane.

A MoDOT representative said that a street name change should be renamed sooner, rather than later, so as not to affect the design plans for the interchange. The MoDOT representative also said that an interchange with a named street name is more recognizable than a numbered street name.

19th Street currently extends east and west from Jesse James Farm Road, west to Watson Drive. West of the new interchange, 19th Street will be extended to Nation Road, slightly offset north of NE 144th Street west of the interstate.

Along the entirety of 19th Street between Jesse James Farm Road and Nation Rod, there are only 10 properties with city addresses.

Potential options to rename 19th Street include:

- 1) Rename all of 19th Street from Jesse James Farm Road west to Nation Road to Dane Way.
- 2) Name only that portion of 19th Street between Watson Drive and Nation Road as Dane Way (from roundabout to roundabout).

Staff said they did ask the School District. They would prefer something else be named after the Mayor such as Jesse James Park or the Amphitheater.

STREET NAME CHANGE – 19TH STREET TO DANE WAY-CONT Mayor Holt said Mayor Dane worked for years on getting this interchange. Along with Craig Porter and Sam Graves it will now happen. He said we could name a park, etc. but this interchange will change this town for ever and he would like to see Mayor Dane get the recognition for it.

Mayor Holt said Shellie Daniels, MoDOT Representative, thinks the entire street should be changed and we should listen to her advice.

Kent Porter said it would be a natural thing to name the bridge after Mayor Dane for sure but why do the entire street. Staff said it isn't as confusing for outsiders if the road only has one name.

Kathy Barger said she hates it when the same street changes names.

Darren Hiley said it makes sense to him to have Dane Way be wherever 19th Street is.

Kyle Creeden said unless it has a huge impact on individuals he agrees.

INFORMATION AND DISCUSSION

CHUCK DAVIS Chuck Davis said the parking issue isn't totally resolved but there has been nothing done to the trash corrals at La Fuente. Staff said they have been in contact with them and gave them a list of things still not completed.

Staff said they had not been by there when parking in the dirt and grass was still happening but they would keep a watch on it.

DARREN HILEY Darren Hiley asked if we expect building permits to continue at the pace they have so far this year. Staff said there is no sign of it slowing down presently.

KENT PORTER Kent Porter said he was glad to see Petty Road would connect to the roundabout. He asked when Clear Creek Drive would connect down to 19th Street. Staff said that will happen in Phase 10 of Brook Haven.

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

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