

**Minutes of Meeting
Belton Planning Commission
City Hall Annex, 520 Main Street
March 1, 2021**

<https://www.youtube.com/watch?v=Gw03pcvf-2A>

CALL TO ORDER

Chairman MacPherson called the meeting to order at 6:02 p.m.

ATTENDANCE

Commission: Chairman MacPherson, Mayor Jeff Davis, Councilman Chet Trutzel, Commissioners Tim McDonough, Marsha Vest, Todd Christy, and Kara Anderson

Absent: Commissioners RJ Warren and Kelly Monaghan-Bass

Staff: Dave Clements, Planning and Building Director; Madison Smith, Development Technician; Carolyn Yatsook, Economic Development Director; Alexa Barton, City Manager; and Nikia Freiberger, Assistant City Engineer

Guests: David Christie, Y-Belton, LLC, 7217 W. 110th Street, Overland Park, Kansas, 66210; and Russ Ehnen, Architect, 5702 Southwest Maple Ridge, Trimble, Missouri, 64492

MINUTES

Councilman Trutzel moved to approve the January 4, 2021 Planning Commission meeting minutes. Commissioner Anderson seconded the motion. All members present voted in favor, and the motion carried.

PUBLIC HEARING – Consideration of a Rezoning from the existing R-1 Single Family Residence District to a C-2 General Commercial District and a Preliminary Development Plan to permit the development of Apple Valley Crossing, consisting of two (2) retail buildings located at the Southwest corner of East North Avenue and Apple Valley Parkway.

Mr. Clements gave a summary of the staff report. The staff report is attached as **Exhibit A**. The applicant was present to answer any questions.

The Commission had several questions regarding utilities for the site, the setbacks, and the one lane service drive. Russ Ehnen, Architect, explained that all utilities are close for easy connection.

Mr. Clements reminded the Commission of the conditions noted with the approval that could be corrected once the Final Development Plan is submitted.

Councilman Trutzel moved to approve the request for a Rezoning and Preliminary Development Plan for Apple Valley Crossing, as noted in the staff report and shown on the development plan. The recommendation is subject to the following conditions:

1. The Preliminary Development Plan for Apple Valley Crossing is hereby approved, as shown on Site Development Plan by SM Engineering, dated 2/3/2021, subject to additional conditions.

2. Building elevations Apple Valley Crossing are hereby approved, as shown on plan set by Russ Ehnen Architects, dated 2/4/2021, subject to additional conditions.
3. The elevations shall be revised with the Final Development Plan to include additional brick columns on the rear and side elevations. The elevations shall have materials labeled and shall meet the 50 percent masonry requirements of Section 28 of the UDC.
4. Provide a 25-foot setback on East North Avenue.
5. Trash enclosures shall be masonry construction to match the buildings with a gate, additional landscaping shall be provided the enclosures. Rooftop mechanical equipment shall be screened.
6. The Final Development Plan shall include a final landscape plan sealed by a registered Landscape Architect.
7. The service drive at the rear of the retail building shall be fully addressed at the time of the Final Development Plan when actual users and their service and delivery needs are better known.
8. The Final Development Plan shall include a photometric plan for parking lot and building lighting.
9. A Replat shall be submitted to remove the blanket drainage easement over the lots.
10. The Final Development Plan shall include a stormwater study to address construction in the floodplain, stormwater management provisions, and on-site BMP's.

The motion was seconded by Commissioner Anderson. When a vote was taken, the following was recorded:

Ayes: 7 – Chairman MacPherson, Mayor Jeff Davis, Councilman Chet Trutzel, Commissioners Tim McDonough, Marsha Vest, Todd Christy, and Kara Anderson

Noes: 0

Absent: 2 – Commissioners RJ Warren and Kelly Monaghan-Bass

The motion carried and will be forwarded to City Council for approval.

OTHER BUSINESS – Approval of the 2021 Planning Commission and Development Review Schedule.

Mr. Clements gave a summary of the schedule and explained the changes that were made this year. The schedule is attached as **Exhibit B**.

Councilman Trutzel moved to approve the 2021 Planning Commission and Development Review Schedule. The motion was seconded by Commissioner McDonough.

DIRECTOR'S REPORT

- Our next meeting will be to discuss a Rezoning for the Southview Commerce Center
- NorthPoint will hold a neighborhood meeting on Monday, March 8, 2021 for residents to learn more about the plan before the Planning Commission meeting

NEXT MEETING DATE: March 15, 2021

ADJOURNMENT

Commissioner McDonough moved to adjourn the meeting. The motion was seconded by Commissioner Anderson. All voted in favor, and the meeting adjourned at 6:37 p.m.

EXHIBIT A

**REZONING AND PRELIMINARY DEVELOPMENT PLAN
APPLE VALLEY CROSSING
BELTON PLANNING COMMISSION
MONDAY, MARCH 1, 2021 – 6:00 P.M.
CITY HALL ANNEX BUILDING – 520 MAIN STREET**

APPLICATION

Applicant/Property Owner-Y-Belton, LLC, David Christie

Engineer-SM Engineering/Sam Malinowsky, P.E.

Architect-Russ Ehnen

Location-The property is located at the southwest corner of East North Avenue and Apple Valley Parkway.

Request-**The application was filed for approval of a Rezoning from the existing R-1 Single-Family Residence District to a C-2 General Commercial District, and a Preliminary Development Plan to permit the development of Apple Valley Crossing, consisting of two retail buildings.**

BACKGROUND

This application was filed for a rezoning from the existing R-1 Single-Family Residence District to a C-2 General Commercial District, and a related preliminary development plan.

Y-Belton is an experienced commercial development company in Belton. The company developed Belton Gateway, Belton Town Center and recently acquired the Price Chopper shopping center at Cedar Street and Givan Street. With this location abutting East North Avenue, the company believes the site is suited for commercial development.

The preliminary development plan provides for two retail buildings. An 800 square foot drive-through coffee shop is located on the north portion of the site, with a direct sidewalk connection to East North Avenue. A 4,762 square foot speculative retail building is proposed on the south portion of the site.

The site is a partial floodplain that shall be filled and graded in compliance with the UDC to allow the proposed development.

PRELIMINARY DEVELOPMENT PLAN

The subject property is a 1.90-acre site located on the south side of East North Avenue at Apple Valley Parkway. Access to the development would be from a new driveway on the west side of Apple Valley Parkway.

Compliance with C-2 Standards of the Unified Development Code (UDC):

The plan generally meets all requirements of the C-2 General Commercial District. The C-2 district is intended to provide mid-size retail and commercial businesses along commercial corridors.

Parking: The UDC requires 1 parking space for every 300 square feet of retail area, or 17 spaces for the proposed development. Thirty-one spaces are shown on the plan. The surplus spaces are provided for a possible restaurant user. The parking spaces meet all dimensional requirements for length, width, and maneuvering.

Required Yards/Setbacks:

Front yard- 25-foot existing platted setback. 10-foot setback proposed on East North Avenue, 30 feet proposed on Apple Valley Parkway.

Rear yard-20-foot setback required. 20-foot setback proposed.

Side yard-5-foot setback required. Varies, exceeds minimum requirement.

Maximum Building Height-35-foot maximum. 20-foot proposed height for the retail building, the kiosk structure has a height of 15 feet.

Maximum Building Coverage-25% maximum. 6% proposed building coverage.

Required Open Space-30% of total land area required. 66% open space provided.

A land-use analysis and site data table is found on Sheet C1.0, site plan, for project specifics.

Building Design: The UDC requires all new commercial buildings to include 50 percent masonry on the front and side elevations, with articulation and offsets to add architectural detail on all four sides. The buildings include stone and masonry vertical columns across the façade, with a synthetic plaster system on upper portions of the façade. Transparent storefront windows are provided, with canvas canopies. The final development should include additional masonry columns on the rear of the building, and offset dimensions and the actual percent of masonry elements.

There are locations of shared trash enclosures on the plan. These enclosures will be constructed of masonry materials to match the buildings, with and appropriate screening/landscaping. Rooftop mechanical equipment shall be screened.

Landscaping: A landscape plan was submitted with the Preliminary Development Plan. The landscape plan meets the requirements of the UDC. The plan exceeds the required 30 percent total landscape area, and provides the required shade trees, parking lot landscaping, and street trees. A Type A buffer is provided along the south property line, to provide screening of the adjacent single-family home. The final development plan shall include a landscape architect seal and signature.

Streets/access: Access to the site would be from a new driveway on the east side of Apple Valley Parkway.

The plan includes a "L" shaped, one-way service driveway east of and behind the larger retail building. Staff has concerns about this service drive and utilization by delivery drivers when it requires reverse movements. Additionally, the service drive places delivery traffic closer to the abutting single-family home.

Utilities: The plan includes a utility plan for water and sanitary sewer to serve the site. Staff has reviewed the utility plan and determined that the plan provides adequate public facilities.

Detention: The property is in the Markey Regional Detention Watershed. Payment of a fee in lieu of providing on-site detention is provided in the UDC. The site plan should include areas of stormwater best management practices (BMP) to lessen run-off and filter storm drainage.

Compliance with Comprehensive Plan: The Future Land Use Map of the Comprehensive Plan designates this site, as open space. This is due to the location of the existing floodplain.

Economic Development Considerations: This is a vacant, under-utilized site in an established commercial corridor. With proper engineering and design, the proposed development can be achieved and will result in new commercial construction that will provide increased sales tax and real estate tax for the community.

REZONING CRITERIA/FINDINGS OF FACT

The Unified Development Code, Section 20-3, provides certain approval criteria that must be addressed with a rezoning application. These criteria are summarized below, with analysis for consideration of the Planning Commission:

(1) The character of the surrounding neighborhood, including the existing uses and zoning classification of properties near the subject property. The property is on the south side of East North Avenue, 58 Highway. This arterial street is characterized by retail and commercial uses. The area is primarily zoned a C-2 General Commercial District. The property is at the entrance to Apple Valley, a single-family residential subdivision of 160 lots. West of the site is Carnegie Village, a residential care facility that is zoned a R-3 Planned Unit Development.

(2) Consistency with the goals and objectives of the Comprehensive Plan. The Future Land Use Map of the Comprehensive Plan designates this area as open space. A portion of the site is in the flood-plain of Oil Creek. Development of the site can be accomplished through compliance with Chapter 32 Stormwater Management and Flood Protection of the UDC.

(3) Suitability of the subject property for the uses permitted under the existing zoning district. The property is not ideally suited for development with the existing R-1 zoning classification. It is not likely that single-family homes would be built at this location on a commercial arterial.

(4) The trend of development near the subject property, including changes that have taken place in the area since the subject property was placed in its current zoning district. The area near the subject property has experienced recent commercial development. Raising Cane's Chicken and the redeveloped QT site are examples of newer development on the south side of East North Avenue. Additionally, new projects are currently under review near the Price Chopper center.

(5) The extent to which the zoning amendment may detrimentally affect nearby property. The proposed rezoning and preliminary plan provide an attractive, well designed commercial development. With building design, landscaping, and buffers meeting requirements of the UDC, detrimental impact on nearby property is reduced.

(6) Whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment. All required public infrastructure and services are available to serve the development. Existing utilities and public streets are sufficient for the proposed development.

(7) The length of time the property has remained vacant as zoned. The Apple Valley subdivision was platted in 1991. The subject property was designated as a drainage area for the subdivision, and it has been vacant since that time.

STAFF RECOMMENDATION

The staff recommends approval of the request for a rezoning and Preliminary Development Plan for Apple Valley Crossing, as noted in the staff report and shown on the development plan. The recommendation is subject to the following conditions:

11. The Preliminary Development Plan for Apple Valley Crossing is hereby approved, as shown on Site Development Plan by SM Engineering, dated 2/3/2021, subject to additional conditions.
12. Building elevations Apple Valley Crossing are hereby approved, as shown on plan set by Russ Ehnen Architects, dated 2/4/2021, subject to additional conditions.
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14. Provide a 25-foot setback on East North Avenue.
15. Trash enclosures shall be masonry construction to match the buildings with a gate, additional landscaping shall be provided the enclosures. Rooftop mechanical equipment shall be screened.
16. The Final Development Plan shall include a final landscape plan sealed by a registered Landscape Architect.
17. The service drive at the rear of the retail building shall be fully addressed at the time of the Final Development Plan when actual users and their service and delivery needs are better known.
18. The Final Development Plan shall include a photometric plan for parking lot and building lighting.
19. A Replat shall be submitted to remove the blanket drainage easement over the lots.
20. The Final Development Plan shall include a stormwater study to address construction in the floodplain, stormwater management provisions, and on-site BMP's.

PLANNING COMMISSION ALTERNATIVES

1. Motion to **approve** a rezoning and Preliminary Development Plan for Apple Valley Crossing.
2. Motion to **deny** a rezoning and Preliminary Development Plan for Apple Valley Crossing.
3. Motion to continue the application for further information.

ATTACHMENTS

1. Preliminary Development Plan
2. Exterior Elevations
3. Area Map

EXHIBIT B

2021 BELTON PLANNING COMMISSION AND DEVELOPMENT REVIEW SCHEDULE										
Schedule	Development Application Deadline Thursday (noon)	Comments to Applicant Thursday	(Optional) Applicants Meeting Wednesday	Applicant's revised plans due Friday (noon)	Public Notice deadline for newspaper - Friday	Applicant mails letters; Public Notice Posted in Newspaper on Friday	PC Packets Posted Online Friday	PC Meeting - Monday, 6:00 p.m.	City Council Meeting - Tuesday, 7:00 p.m. First Reading	City Council Meeting - Tuesday, 7:00 p.m. Second Reading
A	10-Dec	23-Dec	30-Dec	15-Jan	8-Jan	15-Jan	29-Jan	1-Feb	23-Feb	9-Mar
B	31-Dec	14-Jan	20-Jan	5-Feb	5-Feb	12-Feb	26-Feb	1-Mar	9-Mar	23-Mar
C	21-Jan	4-Feb	10-Feb	26-Feb	19-Feb	26-Feb	12-Mar	15-Mar	23-Mar	13-Apr
D	11-Feb	25-Feb	3-Mar	19-Mar	12-Mar	19-Mar	2-Apr	5-Apr	27-Apr	11-May
E	25-Feb	11-Mar	17-Mar	2-Apr	26-Mar	2-Apr	16-Apr	19-Apr	11-May	25-May
F	11-Mar	25-Mar	31-Mar	16-Apr	9-Apr	16-Apr	30-Apr	3-May	25-May	8-Jun
G	25-Mar	8-Apr	14-Apr	30-Apr	23-Apr	30-Apr	14-May	17-May	8-Jun	22-Jun
H	15-Apr	29-Apr	5-May	21-May	14-May	21-May	4-Jun	7-Jun	22-Jun	13-Jul
I	29-Apr	13-May	19-May	4-Jun	28-May	4-Jun	18-Jun	21-Jun	13-Jul	27-Jul
J	27-May	10-Jun	16-Jun	2-Jul	25-Jun	2-Jul	16-Jul	19-Jul	10-Aug	24-Aug
K	10-Jun	24-Jun	30-Jun	16-Jul	9-Jul	16-Jul	30-Jul	2-Aug	24-Aug	14-Sep
L	24-Jun	8-Jul	14-Jul	30-Jul	23-Jul	30-Jul	13-Aug	16-Aug	14-Sep	28-Sep
M	29-Jul	12-Aug	18-Aug	3-Sep	27-Aug	3-Sep	17-Sep	20-Sep	12-Oct	26-Oct
N	12-Aug	26-Aug	1-Sep	17-Sep	10-Sep	17-Sep	1-Oct	4-Oct	26-Oct	9-Nov
O	26-Aug	9-Sep	15-Sep	1-Oct	24-Sep	1-Oct	15-Oct	18-Oct	9-Nov	23-Nov
P	9-Sep	23-Sep	29-Sep	15-Oct	8-Oct	15-Oct	29-Oct	1-Nov	23-Nov	14-Dec
Q	23-Sep	7-Oct	13-Oct	29-Oct	22-Oct	29-Oct	12-Nov	15-Nov	14-Dec	28-Dec
R	14-Oct	28-Oct	3-Nov	19-Nov	12-Nov	19-Nov	3-Dec	6-Dec	28-Dec	11-Jan
S	28-Oct	11-Nov	17-Nov	3-Dec	24-Nov	3-Dec	17-Dec	20-Dec	11-Jan	25-Jan
T	11-Nov	24-Nov	1-Dec	17-Dec	17-Dec	24-Dec	31-Dec	3-Jan	25-Jan	8-Feb
U	16-Dec	30-Dec	5-Jan	21-Jan	14-Jan	21-Jan	4-Feb	7-Feb	22-Feb	8-Mar
V	13-Jan	27-Jan	2-Feb	18-Feb	11-Feb	18-Feb	4-Mar	7-Mar	22-Mar	12-Apr
W	27-Jan	10-Feb	16-Feb	4-Mar	25-Feb	4-Mar	18-Mar	21-Mar	12-Apr	26-Apr
X	10-Feb	24-Feb	2-Mar	18-Mar	11-Mar	18-Mar	1-Apr	4-Apr	26-Apr	10-May

*Note: The first Planning Commission meeting each month is the primary meeting date.