

**Minutes of Meeting
Belton Planning Commission
City Hall Annex, 520 Main Street
November 8, 2021**

<https://www.youtube.com/watch?v=cD14yyJ6NLY>

CALL TO ORDER

Chairman MacPherson called the meeting to order at 5:30 p.m.

ATTENDANCE

Commission: Chairman MacPherson, Mayor Norman Larkey, Councilman Rob Powell, Commissioners Todd Christy, Tim McDonough, Kelly Monaghan-Bass, Marsha Vest, and James Pryan. Commissioner Kara Anderson was present at 5:45 p.m.

Staff: Dave Clements, Planning and Building Director; Shelia Ernzen, Acting City Manager/Finance Director; Carolyn Yatsook, Economic Development Director; and Nikia Freiburger, City Engineer

MINUTES

Mayor Larkey moved to approve the October 18, 2021, Planning Commission meeting minutes. Commissioner Monaghan-Bass seconded the motion. All other members present voted in favor, and the motion carried.

NON-PUBLIC HEARING – Consideration of a Lot Split for the property located at 15812 Harris Avenue.

Mr. Clements gave a summary of the staff report. The staff report is attached as **Exhibit A**.

Mayor Larkey moved to approve the consideration of a Lot Split for the property located at 15812 Harris Avenue. The recommendation is subject to the following conditions:

1. The Lot Split for 15812 Harris Avenue, by Huffman Land Surveyors is approved as submitted.

The motion was seconded by Commissioner Pryan. When a vote was taken, the following was recorded:
Ayes: 9 – Chairman MacPherson, Mayor Norman Larkey, Councilman Rob Powell, Commissioners Todd Christy, Tim McDonough, Kelly Monaghan-Bass, Marsha Vest, Kara Anderson, and James Pryan

Noes: 0 – None

Absent: 0 –None

The motion carried.

NON-PUBLIC HEARING – Consideration of a Final Development Plan to permit the development of Take 5 Oil Change and 151 Coffee located at 111 South Mullen Road.

Mr. Clements gave a summary of the staff report. The staff report is attached as **Exhibit B**.

Mayor Larkey moved to approve the consideration of a Final Development Plan to permit the development of Take 5 Oil Change and 151 Coffee located at 111 South Mullen Road. The recommendation is subject to the following conditions:

1. The Final Development Plan for *Take 5 Oil Change* and *151 Coffee* is hereby approved, as shown on plans prepared by High Tide Consultants, LLC. dated 9/29/2021, subject to additional conditions.
2. The trash enclosure shall be constructed with masonry materials to match the buildings, with screening and landscaping.
3. The site photometric plan shall be revised to indicate zero-foot candles at the property line and meet all requirements of Section 28-7.
4. Please provide a 5' utility/ROW easement along the south property line.

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

Ayes: 9 – Chairman MacPherson, Mayor Norman Larkey, Councilman Rob Powell, Commissioners Todd Christy, Tim McDonough, Kelly Monaghan-Bass, Marsha Vest, Kara Anderson, and James Pryan

Noes: 0 – None

Absent: 0 –None

The motion carried.

DIRECTOR'S REPORT

- Heartland Dental has been renovating the building at Cedar and East North Avenue.
- Both the Encore apartments at 163rd and Turner Road and the Center 301 Apartments at the Southeast corner of Towne Center Drive and Markey Parkway will both be going vertical in the near future.
- The tilt-up concrete walls at Building 4 at the Southview Commerce Center will be raised shortly.

NEXT MEETING DATE: To be determined

ADJOURNMENT

Commissioner McDonough moved to adjourn the meeting. The motion was seconded by Mayor Larkey. All voted in favor, and the meeting adjourned at 5:56 p.m.

EXHIBIT A

LOT SPLIT

15812 HARRIS AVENUE

BELTON PLANNING COMMISSION

MONDAY, NOVEMBER 8, 2021 – 5:30 P.M.

CITY HALL ANNEX BUILDING – 520 MAIN STREET

APPLICANT

Property Owner- Terry Hardee, Gary Hardee, Rhonda Schmidt

Surveyor- Huffman Land Surveyors, LLC.

Location- The property is located at 15812 Harris Avenue, the east side of Harris Avenue, just south of 157th Street.

Request- The application was filed for approval of a Lot Split for the property at 15812 Harris Avenue.

BACKGROUND

This application was filed for a Lot Split of the property at 15812 Harris. This is an existing 21.6-acre parcel currently improved with a single-family home and it is used for pasture and livestock.

The proposed plat provides for a Tract A of .76 acres/33,105 square feet. The existing house will remain on this Tract A. The remaining property is a 20.84 acre Tract B that will remain vacant.

The property is zoned an R-1 Single-Family Residence District District, and this zoning district requires a 8400 square foot minimum lot size. The two Tracts proposed with the lot split meet this minimum lot size requirement.

PROPOSED LOT SPLIT

The Lot Split meets all the subdivision requirements of the Unified Development Code (UDC).

Access/Streets- No new access to Harris Avenue is proposed with the Lot Split. No additional right-of-way is dedicated with the plat.

Easements- The final plat includes appropriate language for public utility easements.

General Plat Information- The Lot Split plat includes all required general information including the legal description, Tract numbers and dimensions, right-of-way designation, signature certificates, and surveyor credentials.

STAFF RECOMMENDATION

The staff recommends approval of the application for the Lot Split. The plat meets all Lot Split requirements of Section 36.105 of Unified Development Code.

The recommendation is subject to the following conditions:

1. The Lot Split for 15812 Harris Avenue, by Huffman Land Surveyors is approved as submitted.

PLANNING COMMISSION ALTERNATIVES

1. Motion to **approve** a Lot Split for 15812 Harris Avenue.
2. Motion to **deny** a Lot Split for 15812 Harris Avenue.
3. Motion to continue the application pending additional information.

EXHIBIT B
FINAL DEVELOPMENT PLAN
TAKE 5 OIL CHANGE & 151 COFFEE
BELTON PLANNING COMMISSION
MONDAY, NOVEMBER 8, 2021 – 5:30 P.M.
CITY HALL ANNEX BUILDING – 520 MAIN STREET

APPLICATION

Applicant-Driven Assets, LLC. / Hank Hopkins

Property Owner-Tammy Townsend

Engineer-High Tide Consultants, LLC. / Richard Galloway

Location-The property is located at 111 S. Mullen Road, the southeast corner of Mullen Road and E. North Avenue.

*Request-**The application was filed for approval of a Final Development Plan to permit the development of a Take 5 Oil Change facility, and a 151 Coffee.***

BACKGROUND

This application was filed for a Final Development Plan to allow the redevelopment of the property at 111 S. Mullen Road. This site is the current location of Magic Wand Car Wash. The plan provides for the construction of a *Take 5 Oil Change* facility and a *151 Coffee*, a drive-through express coffee shop.

The property is zoned a C-2 General Commercial District. The drive through coffee shop and drive through oil change facility are permitted uses in this zoning district, with certain conditions pertaining to drive-through facilities and vehicle stacking.

Take 5 Oil Change is proposed to be a 3-bay, 1078 square foot building. The company specializes in drive-through oil changes where the customer stays in their vehicle. The facility will have daily hours of operation and have 3 to 6 employees per shift. *Take 5 Oil Change* has over 600 locations across the country. The nearest locations in Missouri are in the Saint Louis area. For more information on the company, please review information at this link:

<https://www.take5oilchange.com>

151 Coffee is a Texas based company started in 2007 in the Dallas-Fort Worth area. There are currently eight locations in that market and more expansions underway. The Belton location would be their first Midwest store. They provide a quick-service drive-through and walk-up facility. The store will have daily hours of operation and 6 to 8 employees per shift. For more information on the company, please review information at this link:

<https://www.151coffee.com>

FINAL DEVELOPMENT PLAN

The subject site is a .96-acre site located at the southeast corner of S. Mullen Road and E. North Avenue. There is one new 24-foot driveway entrance on Mullen Road that provides access to both users. This drive is at approximately the same location as the drive for the existing carwash, but it will be redesigned. There is no access proposed to East North Avenue.

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

The plan 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/vehicle stacking: The combined parking requirement for both uses is 22 spaces. This is based on the number of seats and customer service area of *151 Coffee*, and the number of service bays for *Take 5 Oil Change*.

Four vehicle stacking spaces behind the menu board are required for *151 Coffee*. There are 9 spaces in the customer queue on the east side of the building.

All parking spaces meet all dimensional requirements for length, width, and maneuvering.

Required Yards/Setbacks:

Front yard-30-foot required setback. The front setback along E. North Avenue is 40 feet to the edge of the covered patio. The front setback along Mullen Road is 40 feet.

Rear yard-20-foot setback required. 90-foot setback proposed.

Side yard-10-foot setback required. 30-foot setback proposed.

Maximum Building Height-75-foot maximum. 22-foot proposed height for the proposed building.

Maximum Building Coverage-40% maximum. 7% proposed building coverage.

Required Open Space-20% of total land area required. 23% open space provided.

A land-use analysis and site data table is found on Sheet C-1, for overall 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. Inasmuch as the final development plan is for two buildings, materials and colors are similar on both structures for a more unified design. The primary materials on both buildings are white modular brick with red accents and storefront glass. The design of *151 Coffee* provides 80 percent masonry with offsets, columns and canopies to provide articulation for the building. *Take 5 Oil Change* has 82 percent masonry with the same white modular brick and aluminum framed overhead doors with a bronze finish.

This design and building materials meet the requirements of the Unified Development Code.

There are two trash enclosure on the plan. The enclosures should be constructed of masonry materials to match the building, with and appropriate screening/landscaping. There is no rooftop mechanical equipment on the building.

Landscaping: A landscape plan was submitted with the Final Development Plan. The landscape plan meets the requirements of the UDC. The plan provides 23 percent open space, exceeding the required 20 percent total landscape area, and provides the required shade trees, parking lot landscaping, and street trees.

Streets/access: As noted, access is provided to the site from a redesigned driveway entrance on Mullen Road. There is no access proposed for East North Avenue.

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: This is a .96-acre parcel. Detention is required for parcels one acre or larger. The developer has provided additional areas of landscaping for stormwater quality purposes.

STAFF RECOMMENDATION

The staff recommends approval of the request for a Final Development Plan for *Take 5 Oil Change* and *151 Coffee*, as noted in the staff report and shown on the development plan. The recommendation is subject to the following conditions:

1. The Final Development Plan for *Take 5 Oil Change* and *151 Coffee* is hereby approved, as shown on plans prepared by High Tide Consultants, LLC. dated 9/29/2021, subject to additional conditions.
2. The trash enclosure shall be constructed with masonry materials to match the buildings, with screening and landscaping.
3. The site photometric plan shall be revised to indicate zero-foot candles at the property line and meet all requirements of Section 28-7.
4. Please provide a 5' utility/ROW easement along the south property line.

PLANNING COMMISSION ALTERNATIVES

1. Motion to **approve** a Final Development Plan for *Take 5 Oil Change* and *151 Coffee*.
2. Motion to **deny** a Final Development Plan for *Take 5 Oil Change* and *151 Coffee*.
3. Motion to continue the application for further information.