

## **PLANNING AND ZONING COMMISSION**

**February 14, 2011**

The Planning and Zoning Commission, City of Kearney, Missouri, met in regular session at 6:30 P.M., February 12, 2011 at Kearney City Hall with Kathy Whipple presiding. Members present were Kent Porter, Heath Courtney, Kim Murphy, Darren Hiley and Jenny Hayes. Doyle Riley was absent. Staff members present were David Pavlich, Chad Coffelt and Shirley Zimmerman.

Kathy Whipple opened the meeting with the Pledge of Allegiance.

### **CONSENT AGENDA**

- Minutes of the December 13, 2010 meeting

A motion was made by Kim Murphy and seconded by Heath Courtney to approve the Consent Agenda as presented. The motion carried unanimously.

### **PUBLIC HEARINGS**

**AMEND SETBACKS IN M-INDUSTRIAL DISTRICT** Staff presented an amendment to Section 405.705.E.6 of the Zoning Order, which would allow certain activities that may be associated with asphalt and concrete plants to be located closer than 100 feet from a property line.

Staff said having 100 feet on all sides would hinder development in many cases. Staff said 100 feet would still be in effect for property lines adjacent to residential and commercial zoned properties.

Staff presented a memo dated February 14, 2011 and recommended the amendment be approved. It would be forwarded to the Board of Aldermen for public hearing and review at their February 21, 2011 meeting.

The floor was opened to the public.

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

Kim Murphy said he would like to insert the word “only” following asphalt or concrete plants and insert “buildings and equipment” following excluding those in the new language.

Heath Courtney asked if we classify all industrial as M. He said we should insert “M” in front of industrial zoning district in the new language.

Jenny Hayes asked if this would apply for Innovation Park. Staff said that was correct.

**AMEND SETBACKS IN M-INDUSTRIAL DISTRICT-CONT** A motion was made by Kim Murphy and seconded by Darren Hiley to recommend to the Board of Aldermen to add the following additional language to Section 405.705.E.6:

For asphalt or concrete plants only, buildings and equipment, excluding those buildings and equipment used to process materials and finished product may be erected or stored a minimum of 20 feet from a side or rear property line adjoining an M-industrial zoning district, provided such activity is in compliance with any state requirements.

The motion carried unanimously.

**LPG VENTURES-CONDITIONAL USE PERMIT FOR CONCRETE PLANT**

Staff presented an application from LPG Ventures for a conditional use permit for 971 North Jefferson, formerly known as the Remington Steel Concrete Plant. They will utilize the existing office building, parking areas and batch plant to make concrete piers that propane tanks sit on. They propose to construct an approximately 2 acre storage yard for storage of the concrete piers, propane tanks and equipment.

Staff said they will have an additional application within the next year. Future expansion is planned to develop the entire property and relocate other parts of the business to Kearney.

Staff presented a memo dated February 14, 2011 and recommended approval with several conditions. Staff said MoDOT recommended that a right turn lane/tapered drive entrance shall be installed. Staff recommends, similar to the original conditional use permit, that the entrance be constructed within three years or per MoDOT requirements.

Staff said the outside storage area is proposed to store propane tanks, piers, materials and equipment. The surface of the lot will be 4 inch gravel topped with 2 inch asphalt millings. The owner has indicated that surplus concrete from their pier production activities will be used, over time, to resurface the storage area.

The floor was opened to the public.

John Baanders, LPG Ventures, said his expansion plans include a 40,000 square foot building in the future. He said they just want to get the pier production going at this time and then move the remaining business here in stages. He said the right turn lane won't really benefit his truck traffic.

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

Kim Murphy said this is a very good project. He said it will be bringing more jobs to the facility, which is good for the community. He said the five foot sidewalk is nice but he thought we should wait until the widening of 33 Highway was done. He said that is a huge expense and then have to remove it due to road construction. He said he had been concerned about the lack of trees at this site but it appears that is being addressed now.

**LPG VENTURES-CONDITIONAL USE PERMIT FOR CONCRETE PLANT-  
CONT**

Darren Hiley asked why the turn lane hadn't been done by the previous applicant. Staff said they were close to two years from time of issuance of the CUP until they opened. Their three years was coming due at the time they closed.

Darren Hiley asked why it has to be renewed in five years. Staff said the first time for CUP's are always for a short term so you can re-evaluate the project. He said if everything is going fine after five years it can be extended for a longer time frame.

Jenny Hayes asked what kind of traffic is expected at the site. Mr. Baanders said the production of piers will involve around 600 trucks a year.

Jenny Hayes said this won't be a retail concrete plant now. Mr. Baanders said that is correct. He said he isn't sure they will keep the current entrance when they expand. He said he and the City are looking into the possibility of the entrance either lining up with 162<sup>nd</sup> Street or improve North Park Road to a commercial road and putting their entrance off there.

Mr. Baanders said the trucks will be coming and going through out the day. He said there will be 2 to 3 truck loads of materials a week. He said the other truck traffic will go both North and South from the site.

Heath Courtney asked if the trucks bringing supplies would be dump trucks. Mr. Baanders said that is correct. He asked if the other trucks would be tractor trailers. Mr. Baanders said that is correct. Mr. Courtney said he is concerned about the truck traffic coming through the City.

Heath Courtney said he agrees about waiting to put in the sidewalk until the expansion of 33 Highway is done.

Kent Porter asked if there would be fence on the berms or only on the South side. Mr. Baanders said the fence would only be on the South side and would be for security. He said when the entire project is completed there might be more fencing.

Kent Porter said he liked the idea of moving the entrance to line up with 162<sup>nd</sup> Street or off North Park Road. He said he also agreed that the sidewalk should wait until a later time.

Heath Courtney said he thought we should require applicants to put the money for sidewalks in escrow when we are recommending they delay installing the sidewalks.

Heath Courtney asked if they will eliminate the outside storage when they build the building. Mr. Baanders said they will always have outside storage. He said the new building will be for fabrication and smaller parts.

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CONT** Heath Courtney asked how many employees they would have. Mr. Baanders said they would have four to six employees immediately and add up to twenty employees.

Kathy Whipple asked if we had any problems with the site when it was Remington Steel. Staff said no.

A motion was made by Kim Murphy and seconded by Jenny Hayes to recommend to the Board of Aldermen to approve the application from LPG Ventures for a conditional use permit for 971 North Jefferson, formerly known as the Remington Steel Concrete Plant, contingent upon all fourteen comments in the Staff Report and the limitation of Item 3 to be waived until 33 Highway improvements are completed or development to the South occurs. The motion passed by a vote of five to one with Heath Courtney voting nay.

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

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
**Kathy Whipple, Chairperson** **Darren Hiley, Secretary**