

PLANNING AND ZONING COMMISSION

April 10, 2017

The Planning and Zoning Commission, City of Kearney, Missouri, met in regular session at 6:30 P.M., April 10, 2017 at Kearney City Hall with Kathy Barger presiding. Members present were Darren Hiley, Jason Hoyt, Kyle Creeden and Chuck Davis. Dan Holt and Kent Porter were absent. Staff members present were Jim Eldridge and Shirley Zimmerman

Kathy Barger opened the meeting with the Pledge of Allegiance.

OATH OF OFFICE Jim Eldridge administrated the Oath of Office for Kyle Creeden who will be an interim commissioner while Doyle Riley is deployed.

CONSENT AGENDA

The following items were presented for the Planning and Zoning Commission to approve:

- Minutes of the March 13, 2017 meeting

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

PUBLIC REQUESTS & PETITIONS

CUP – LAMAR ADVERTISING, UPGRADE BILLBOARD TO DIGITAL

Staff presented an application from Lamar Advertising proposing to upgrade an existing billboard along Interstate 35 to a changeable message (digital) billboard. The billboard has both North and South faces. Only the side facing South would be converted to a changeable message billboard. The billboard is located along the East side of Interstate 35, just North of the water tower and approximately 2,000 feet South of 92 Highway.

In December 2016, the Planning and Zoning Commission and Board of Aldermen approved an ordinance allowing for changeable message billboards. The ordinance established certain criteria for brightness, static display of messages and transition time to switch from one message to another.

The floor was opened to the public.

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

Kathy Barger asked if this Conditional Use Permit would have any time frame on it.

CUP – LAMAR ADVERTISING, UPGRADE BILLBOARD TO DIGITAL

Bob Fessler, Lamar Advertising said the face of the billboard would have to be replaced every ten years. He said they understand that if they change the size or design of the billboard they would need to come back to the City.

Kyle Creeden asked if the sign would be controlled in regard to brightness of the sign. Mr. Fessler said they have to meet MoDOT standards as well as the City standards. He said the brightness is monitored closely. He said the message has to be static for 10 seconds and the change happens in 1 second.

A motion was made by Jason Hoyt and seconded by Darren Hiley to recommend to the Board of Aldermen to approve the application from Lamar Advertising proposing to upgrade an existing billboard along Interstate 35 to a changeable message (digital) billboard, contingent upon meeting all Staff comments. The motion carried unanimously.

CLEAR CREEK VALLEY LOTS 28-29 – VACATE UTILITY EASEMENT

Staff presented an application from Rick and Sheila Woods who own Lot 29 in Clear Creek Valley. They propose to build a house that is too wide for the lot. The back corners of the proposed house would encroach on the required side yard setbacks and encroach on platted utility easements along the North and South property lines.

The Woods propose to replat Lots 28 and 29, shifting the property line between the two lots to the South. This would provide for a wider Lot 29, allowing their proposed house to fit on the property.

The Title Company advised Staff that re-platting and shifting the lot line/utility easement does not remove the original platted utility easement. An easement vacation process, which includes a public meeting, is needed to remove the old easement. A new utility easement will be dedicated as part of the new plat.

The floor was opened to the public.

Barry Lowe, representing the Woods, said he was available for questions.

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

Darren Hiley said the public notice said it would be ran April 6 and 13, 2017. He wanted to know if we met the requirements. Staff said it only has to be ran 5 days prior to Planning and Zoning and then 10 days prior to Board of Aldermen.

Chuck Davis asked if anything was being done to Lot 28 to where it couldn't be built on. Barry Lowe said Rick and Sheila Woods own both lots but it still meets size requirements.

Darren Hiley asked if the Century Link pedestal located along the front property line between the two lots needs to be moved. Barry Lowe said it doesn't need to be moved.

CLEAR CREEK VALLEY LOTS 28-29 – VACATE UTILITY EASEMENT

A motion was made by Darren Hiley and seconded by Jason Hoyt to recommend to the Board of Aldermen to approve the application of Rick and Sheila Woods to vacate the utility easement on Lots 28 and 29 contingent upon meeting all Staff comments. The motion carried unanimously.

NEW BUSINESS

CLEAR CREEK VALLEY, REPLAT OF LOTS 28-29 FINAL PLAT Staff presented an application from Rick and Sheila Woods proposing to replat Lots 28 and 29, shifting the property line between the two lots to the South. This would provide for a wider lot, allowing their proposed house to fit on the property. A new utility easement is being dedicated as part of the new plat.

Kathy Barger said the Final Plat lists the lots as 29 and 30. Staff said we will get that corrected by Mike Nelson Surveying before the Board of Aldermen meeting.

Kyle Creeden asked if this will affect the utility easement on Lot 30. Barry Lowe, representing the Woods, said it doesn't affect Lot 30 in any way.

A motion was made by Jason Hoyt and seconded by Darren Hiley to recommend to the Board of Aldermen to approve the application from Rick and Sheila Woods to replat Lots 28 and 29 In Clear Creek Valley with a new utility easement contingent upon meeting all Staff comments. The motion carried unanimously.

DISCUSSION

JASON HOYT Jason Hoyt asked if there was a deadline for the gates being put on the trash corral at La Fuente's. Staff said they would check about that.

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

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