

**NOTICE OF REGULAR MEETING
Cameron Planning and Zoning Commission**

**Monday, May 14, 2012
6:00 p.m.
City Hall**

AGENDA

1. Call to Order. Michael O'Donnell, presiding
 2. Approval of Minutes of the Previous Meeting (April 9, 2012)
 3. Public Participation
 4. Unfinished Business
 - A. Site Plan Review – CRMC Accessory Building
 - B. Condition Use Permits: discussion
 - C. Storm water update (ongoing)
 - D. Updates on resent P&Z business that has been sent to Council for action.
 - Zoning change for Railroad Heights lot 11 – Council action - denied
 - Sidewalk ordinance – Council action – Passed 3 readings
 - Grand Ave Church re-plat – Council action – Passed full reading
 - Plan review – Article 21 – Council action – Passed 3 readings
 5. New Business
 - A. Reappointment of Members
 6. Public Participation
 7. Future
 8. Miscellaneous
 - Board of Adjustments hearing on Public Safety Variance for generator.
 - Council reappointed Rose Hamer to another four year term on Board of Adjustments
 - Next scheduled meeting June 11, 2012
 9. Adjourn
-

MINUTES
Regular Meeting
Cameron Missouri Planning & Zoning Commission
April 9, 2012

Item 1: Call to Order

Chairman O'Donnell called the meeting to order at 6:35pm.

Commissioners Present:

Chairman Michael O'Donnell
Mark Garges
George Pratt
Edward Schmidt
Delvin Jackson (7:20)

Commissioners Absent:

Tom Hamlet
Stan Hendrix

Others Present:

Clyde Han
Mark Gaugh
Drew Bontrager
Chris Johnson – Cameron Newspaper

Item 2: Minutes from Previous Meeting

February 13, 2012

Chairman O'Donnell entertained motion to approve the minutes of the March 12, 2012 meeting. Motion made by Mr. Schmidt to approve the minutes of March 12, 2012; seconded by Mr. Garges. On voice vote the motion carries as follows: ayes – 5, nays – 0, abstentions – 0, absent – 2.

Item 3: Public Participation

None

Mr. Garges made a motion to amend the agenda, placing new business before old business; seconded by Mr. Pratt. On voice vote the motion carries as follows: ayes – 5, nays – 0, abstentions – 0, absent – 2.

Item 4: New Business

A: Public Hearing: Zoning Map Amendment – Railroad Heights Lot 11

A petition was filed for a "Zoning Map Amendment" to rezone lot 11 in Railroad Heights subdivision located at 1013 N Howenstein Street from R-2, one to two family dwellings, to C-2, general commercial.

Chairman O'Donnell entertained a motion to enter public hearing. Motion made by Mr. Garges to enter public hearing; seconded by Mr. Pratt. On voice vote the motion carries as follows: ayes – 5, nays – 0, abstentions – 0, absent – 2.

Mr. Garges excused himself from the discussion and council chambers because his workplace is located in the area being discussed.

~ Public Hearing ~

Mr. Han stated that he had received two comments from the public regarding the rezone of lot 11 in Railroad Heights.

Greg Girres contacted City Hall and stated that when he bought his property he was told that the subdivision was zoned for "Single Family" only. Mr. Girres is afraid that once zoned commercial there will be increased traffic and noise. Mr. Girres also fears that rezoning to commercial will decrease the property values.

Richard Bennett contacted City Hall and stated that the subdivision was to be "Single Family" except lot 12 which was zoned commercial in order to accommodate the required storm water detention.

Judy Cunningham was present at the Planning & Zoning meeting to represent Michael & Kathleen Van Brunt.

Chairman O'Donnell asked Ms. Cunningham if she had anything she would like to present to the Board.

Judy Cunningham, 516 N. Mead, addressed the Board and stated that the Van Brunt's realize there is a traffic concern with the addition of a new warehouse. Ms. Cunningham stated that there will be one delivery per week that would happen on Thursday mornings. The delivery truck would not travel through the neighborhood. She also stated that occasionally there would be another delivery during the week but it would not be the large truck that would come on Thursday mornings.

Chairman O'Donnell advised the Board that they should not only look at the immediate construction project but also to the future and what could possibly be built at a later date.

Chairman O'Donnell asked if there were any comments from the public.

Greg Girres, 913 Howenstein, stated that when he purchased the property he received a covenant from the real estate agent stating that all lots in the Railroad Heights subdivision were to be used for residential purposes only. Mr. Girres was unsure as to how a lot in the subdivision could be rezoned when the covenant stated that it was to remain residential only.

Chairman O'Donnell addressed Mr. Girres and informed him that covenants are recognized between homeowners and not by the City.

Mr. Girres stated that he was frustrated that he was told something by the real estate agent and that his covenant is not recognized by the City.

Richard Bennett, 220 South Street, addressed the Board and stated that he was one of the first developers of the Railroad Heights subdivision.

Mr. Bennett stated that based on the original plats, all of the lots were to be zoned R-2. The reason lot 12 was zoned C-2 was for the detention pond. At the time, the consensus was that someone would not want to build a residential property on a lot with a detention pond.

Mr. Bennett stated that he told all of his real estate customers the lots would stay zoned R-2. He believes that commercial properties should be located with the other commercial properties in the community.

Chairman O'Donnell stated that rezoning from commercial to residential is difficult to do.

Chairman O'Donnell stated that he is opposed to rezoning because the current homeowners knew what the subdivision was zoned when they purchased their property. Rezoning lot 11 would be a hardship on the current property owners.

Chairman O'Donnell also stated that he is looking at future construction that could happen on the property and the increase in traffic. Mr. O'Donnell expressed a concern that the street was not constructed for heavy truck traffic.

Chairman O'Donnell stated that a positive for the rezone would be that the lot is currently next to a commercial property.

Mr. Pratt stated that it is difficult to rezone within a 'new' subdivision. Rezoning within a subdivision should reflect the types of properties within the subdivision. Mr. Pratt believes that the main purpose for Railroad Heights was for residential.

Mr. Han stated that Planning & Zoning will make a recommendation to City Council. City Council will take Planning & Zoning's recommendation and have the final vote as to if the lot should be rezoned or not. The applicant always has the option to "pull" the application.

Chairman O'Donnell entertained a motion to leave public hearing. Motion made by Mr. Pratt to leave public hearing; seconded by Mr. Jackson. On voice vote the motion carries as follows: ayes – 4, nays – 0, abstentions – 1, absent – 2.

Mr. Schmidt made a motion that Cameron Planning & Zoning would like to recommend to City Council that lot 11 in Railroad Heights continue to be zoned as R-2 (one and two family dwellings) and not rezoned to C-2 (General Commercial); Seconded by Mr. Jackson. On voice vote the motion carries as follows: ayes - 4, nays - 0, abstentions - 1, absent – 2

City Council will vote on the rezone issue during the April 16, 2012 City Council meeting.

Chairman O'Donnell stated that anyone can bring a rezoning issue to Planning & Zoning for review.

B: Site Plan Review – CRMC Accessory Building

Cameron Regional Medical Center has requested that Planning & Zoning review their plat for storm water as they want to build a 40' x 60' accessory building.

The Board was given a copy of the plat for review.

Mr. Han stated that CRMC is planning to build an accessory building along with another construction project in the near future and they would like to have the storm water approved all at once. The plat the Board was given includes all of the construction plans.

The storm water plan is still under review with the City's 3rd party reviewer – Trans Systems. CRMC is asking for a conditional approval based on the storm water results.

Randy Hough with Strictly Construction was present at the meeting for any questions.

Mr. Hough stated that there will be an expansion to the medical records building and also the therapy area. Per law, the area for medical records cannot be shared with maintenance.

Mr. Hough stated that HIPPA laws will not permit the sharing of space and CRMC would like to speed up the process so they are in compliance.

Chairman O'Donnell stated that the proposed storm water is larger than it needs to be to account for future developments.

Mr. Han stated that Trans Systems is currently reviewing the plans but they are not done with the review yet.

Mr. Hough asked if he could get a conditional approval from the Board so when Trans Systems approved the storm water they could begin construction.

Chairman O'Donnell entertained a motion to grant a conditional approval to start construction at CRMC. Mr. Pratt made a motion to grant conditional approval to begin construction at CRMC under the condition that the final plat will be brought back to Planning & Zoning for final approval; Mr. Jackson seconded. On voice vote the motion carries as follows: ayes - 5, nays - 0, abstentions - 0, absent – 2

Item 5: Old Business

A: City Ordinance – Required Sidewalks in New Subdivisions

Mr. Bontrager addressed the Board and stated that since the sidewalk ordinance was being reviewed, there were 3 items that were cleaned up to ensure the correct and relevant sections of the Missouri Revised Statutes were referenced.

The Board reviewed the revised ordinance.

Chairman O'Donnell entertained a motion to submit the revised ordinance to City Council for review and approval. Mr. Garges made a motion to submit the revised ordinance to City Council; seconded by Mr. Pratt. On voice vote the motion carries as follows: ayes - 5, nays - 0, abstentions - 1, absent – 3.

B: Conditional Use Permits – Review of “Termination” for Council

After talking to the City Attorney, Mitch Elliott, Mr. Elliott stated that if a “Conditional Use” is adopted by an ordinance it is a law and cannot be altered.

Chairman O'Donnell stated that if conditional use permits on record are not functioning and they were issued by ordinance, they must be resolved by an ordinance.

Chairman O'Donnell stated that a public hearing needs to be held in order to have the non-functioning permits removed.

Mr. Han will post a notice in the Cameron Newspaper for a public hearing to discuss Conditional Use Permits.

Chairman O'Donnell recommended that conditional use permits should be reviewed and cleaned-up the same time every year.

C: Checklist Review

During previous meetings, Mr. Han had asked the Board to review the checklists used to gather information needed for the Board.

Chairman O'Donnell stated that the issue arose when an individual wanted to build a building on their property and construct a driveway on another owner's property. There was a concern with the Board because they did not know if he had permission from the other property owner (in the form of an easement). The Board is concerned with this issue coming up again in the future.

The Board would also like to see approval from 3rd party engineers, i.e. Trans Systems, to protect the City Staff.

The Board's consensus was that the checklists looked good and they will let Mr. Han know if there needs to be any changes in the future.

D: Storm Water Update

Mr. Bontrager stated that the storm water updates are still underway and he hopes to have more information for the Board soon.

Item 6: Public Participation

None

Item 7: Future

None

Item 8: Miscellaneous

A: Board of Adjustments

The Board of Adjustments will meet on Monday, April 23, 2012 to discuss a variance for a backup power generator for the public safety building located in the public right-of-way.

B: Comprehensive Plan

Chairman O'Donnell stated that the comprehensive plan needs to be reviewed, updated and modified to reflect future land use and road infrastructure.

Chairman O'Donnell believes that it may be beneficial to look at the plan so the City can continue to expand.

Mr. Gaugh stated that he would like to form a committee to work on the comprehensive plan so it is always looked at and worked on.

Chairman O'Donnell would like to recommend to City Council that a committee should be put together to review the comprehensive plan and modify it as necessary.

C: Storm Water Review

Mr. Han stated that the City ordinance says that the City has 6 weeks to review a storm water plan. There has been some timing issues with the 3rd party engineer review and getting it back on time.

Mr. Han asked the Board if the ordinance should be reviewed and the time limit changed or if it should stay the same. In reality, six weeks is a 'short' time frame.

Mr. Han would like the Board to think about the issue and get back with him during the next meeting.

D: GIS

Mr. Bontrager gave the Board a presentation of the GIS website.

Item 9: Adjourn

Chairman O'Donnell entertained a motion to adjourn. Motion made by Mr. Schmidt; seconded by Mr. Garges. On voice vote the motion carries as follows: ayes – 4, nays -0, abstentions – 0, absent – 3.

Meeting adjourned at 8:22 pm.

Minutes submitted by:

Chris O'Donnell
Secretary Recorder
Cameron, MO 64429

Minutes of the April 9, 2012 Cameron Planning and Zoning Commission approved on _____, 2012

Chairman Michael O'Donnell

AGENDA ITEM

TO: Planning & Zoning Commission
FROM: Clyde Han, Building Inspector
DATE: Wednesday, May 09, 2012
RE: CRMC Site Plan Review

Cameron Regional Medical Center is asking for a site plan review for storage / accessory building. The proposed site is east and south of Medical Plaza I. The 40 X 60 structure will have a 28 foot wide driveway for access.

The storm water plan submitted covers a larger expansion to be approved at a later date. The storm water plan was under review with our storm water engineer during our last meeting.

Due to the issues of items lost in the mail between the City and Our Engineers, CRMC asked for a "Conditional" approval to begin construction.

P&Z conditionally approved the site plan pending storm water review and approval.

The storm water has now been review and approved by Transystem, our third party Engineering firm (letter attached).

CRMC now request "unconditional" approval for the 40 X 60 storage / accessory building site plan.



TranSystems
2400 Pershing Road
Suite 400
Kansas City, MO 64108
Tel 816 329 8600
Fax 816 329 8601
www.transystems.com

May 9, 2012

J. Drew Bontrager
Public Works Director
City of Cameron
205 North Main Street
Cameron, MO 64429

**Re: Review of Revised Drainage Study for
Cameron Regional Medical Center Addition**

Dear Drew:

As requested, TranSystems has reviewed the revised information forwarded to our office concerning the referenced project, including the revised study dated 05/01/12, and subsequent reply letter from Kaw Valley Engineering with the same date.

Upon review of all documents received, we believe the intent of the Storm Water Management ordinance is met, with one variance.

Note:

1. Overall, the submittal is more complete and is adequate to convey the impacts for the proposed improvements.
2. The emergency spillway will have 0.72' of freeboard if the primary outlet is plugged during the 100-year storm event instead of the City requirement of one foot. For this specific situation, we recommend that the city accept this design variance.
3. We could not locate the note on the plans specifying the replacement of riprap on the outfall. This should be added to the final construction plans.
4. Stage-discharge rating curves for the primary outlet and emergency spillway were not located in the revised document. These are necessary for documentation only.
5. Routing curves for cumulative inflow volumes, cumulative discharge, stage elevation, and cumulative storage were not located in the revised document. These are necessary for documentation only.

Please let us know if you need any further assistance.

Sincerely,
TranSystems

A handwritten signature in black ink, appearing to read "John W. Zimmermann", with a horizontal line extending to the right.

John W. Zimmermann, PE

MEMO

TO: Planning & Zoning Commission

FROM: Clyde Han, Building Inspector

DATE: Thursday, May 10, 2012

RE: Conditional Use Permits

February 13, 2012, Chairman O'Donnell recommended that as "Conditional Use" permits are adopted by Ordinance, that when a "Conditional Use" is no longer valid for any reason, the termination of the "use" also be in "Ordinance" form. This also creates a permanent public record of the action.

After checking with our City Attorney a second time he says that if "Conditional Use" is adopted by an "Ordinance" it is a Law and it cannot be altered, changed or terminated by any other means than an Ordinance.

In order to change the ordinance a "Public Hearing" shall be held for each Conditional Use permit. We have 33 "CUP" for 29 properties. Each will require signage (I have 4 signs), 2 week public notice in newspaper, and letters sent to all property owners within 185 feet (489 letters).

How would the Commissioners like to proceed?

MEMO

TO: Planning & Zoning Commission
FROM: Clyde Han, Building Inspector
DATE: Thursday, May 10, 2012
RE: Commissioners terms expiring

1. Commissioner Jackson's term expires June 2012.
2. Commissioner O'Donnell's term expires June 2012.

Would both like to serve another four year term?

Recommendations for reappointment will go to Council May 21, 2012.

If one or both decline, I will place local media ads and on the city web page for applications and résumés meeting the required qualifications.