

REVISED MINUTES
Regular Meeting
Cameron Missouri Planning & Zoning Commission
Lower Level City Hall
April 8, 2013

Item 1: Call to Order

Chairman O'Donnell called the meeting to order at 6:00pm.

Commissioners Present:

Chairman Michael O'Donnell
Mark Garges
Tom Hamlet
George Pratt
Edward Schmidt

Commissioners Absent:

Stan Hendrix
Delvin Jackson

Others Present:

Clyde Han
Rick Spencer
Bruce Witt
Kent Osborn
Chris Johnson – Cameron Newspaper

Item 2: Minutes from Previous Meeting
March 11, 2013

Chairman O'Donnell entertained a motion to approve the minutes of the March 11, 2013 meeting. Motion made by Mr. Hamlet to approve the minutes of March 11, 2013; seconded by Mr. Schmidt. On voice vote the motion carries as follows: ayes – 5, nays – 0, abstentions – 0, absent – 2.

Item 3: Public Participation

None

Item 4: New Business

A: Rick Spencer – New Subdivision

Rick Spencer addressed the Board about a potential subdivision on a four acre piece of property located at 4th Street and West Street in Cameron, MO. The piece of property is located within the city limits and is served by city water, sewer, electric and streets.

Mr. Spencer wanted to address the Board and ask if two variances could be granted in the development of the subdivision: curb, guttering and sidewalks and storm water. Mr. Spencer questioned what constitutes a variance and if they would be granted before funds were spent on the land and City fees. Mr. Spencer asked for direction from the Board before he proceeds further with the project.

A presentation was made describing the property and the possible structures that would be built. An explanation of the existing sewer, electrical, land elevations and the reasons for asking for a variance on installing curb, guttering and sidewalks and a variance on storm water analysis was given to the Board.

Duplex's and single family homes would be constructed on the property mainly geared towards seniors.

Mr. Spencer reported that there is an existing forced main on 4th Street; however, there is no record of an easement.

Mr. Garges asked about the size of the proposed lots and if a road would be installed across the property.

Mr. Spencer stated that the lots would be approximately 105 feet and that he does not believe there would be room for a road.

Chairman O'Donnell asked how many duplexes Mr. Spencer was planning to build.

Mr. Spencer stated that the number of duplexes would depend on the width of the area and where the fixed sewer line is located and if it needs to be moved. If a new sewer main needs to be installed, there would not need to be any street cuts. Right now the plans are for 94 ft. wide homes with large yard areas.

Mr. Spencer stated that with the large area of green space, he does not believe storm water would be an issue and asked the Board if they would be willing to waive the requirement.

Chairman O'Donnell addressed the Board and stated that with a new preliminary subdivision plat, the Board has the authority to make some variances. The authority is no different than the Board of Adjustments other than Planning & Zoning Board makes Board of Adjustments decisions. Over time in history of Planning & Zoning, the Board has made minor exceptions in new subdivisions.

Chairman O'Donnell wanted to remind the Board and Mr. Spencer that Planning & Zoning is only a recommending Board to the City Council and they have the final decision.

Mr. Hamlet asked if there was a subdivision like the proposed one located within the City.

Mr. Spencer stated that at the end of Locus Street and on Cornhill there are comparable subdivisions.

Mr. Garges asked why Mr. Spencer is asking for a variance on sidewalks; cost or another reason.

Mr. Spencer stated that cost was a factor; however, the way the area is set up the sidewalks would run into dead ends. Mr. Spencer also believes that curb and guttering would cause more problems than good.

Mr. Pratt asked if the duplexes and single family homes would be rentals or for sale.

Mr. Spencer stated that he has had interest for more rentals and a few would be for sale. Thirteen individual dwellings are proposed for construction.

Mr. Pratt asked who would maintain the green space.

Mr. Spencer stated that he maintains the green space for the rentals and will maintain the green space for sold properties for a fee.

Mr. Witt stated that Mr. Spencer would be giving the City an easement for a forced water main. He also wanted to point out that with the current economy, a new subdivision would be good for the City and the economy as a whole.

Mr. Pratt asked if the project would be phased out or built all at once.

Mr. Spencer stated that he would like to build the entire subdivision all at once but it may need to be completed in phases.

Chairman O'Donnell asked about the existing home that will be located on the proposed property and what would be done with it.

Mr. Spencer stated that he has not looked at the property yet to see if it could be remodeled and resold or if it would need to be torn down.

Mr. Garges asked Mr. Spencer why he thinks it is necessary to waive the requirement for curb and gutter and sidewalks and what should be told if another developer asks the reasons.

Mr. Spencer stated that the piece of ground has sit stagnate for some time and he would like to work with the City to make the property useable. The property is difficult to work with and will need a few variances to make it work.

Chairman O'Donnell asked Mr. Spencer's thoughts about installing curb and guttering on 4th Street.

Mr. Spencer stated that the cost would be approximately \$100,000 because of the elevation of the existing street, ground and placement of the lift station. The dirt work involved and the cost would not be cost effective.

Chairman O'Donnell stated that the Board has to justify to any other developer why a variance was granted.

Chairman O'Donnell stated that he can justify not installing sidewalks and guttering on Oak Street and 3rd Street because there would be areas of sidewalk with nothing on the other sides creating gaps and missing pieces of curbing. However, Chairman O'Donnell is having a problem justifying not installing curbing and sidewalks on 4th Street. The biggest percentage of the area would have all new sidewalks and curbing installed with the exception of the current lot. Chairman O'Donnell believes that the City needs to ~~would~~ work with Mr. Spencer to finish the sidewalks and curbing along 4th Street.

Chairman O'Donnell also stated that he cannot justify exempting storm water for a total project. If an engineer stated that the green space meets the storm water conditions he is fine with the decision; however, an analysis is needed.

Mr. Han stated that the green space could be a saving grace for the project; however, an engineer's analysis would be needed to determine if it is sufficient.

Mr. Schmidt believes sidewalks are less critical for the proposed lot because of where the area is located. With the elevation on 4th Street, there would be grating expenses and the extra dirt work could possibly cause more issues with storm water.

Chairman O'Donnell stated that an engineering study would be needed to determine if grading would improve or harm the property.

Chairman O'Donnell stated that the decision made at the April 8, 2013 meeting to give Mr. Spencer direction for the project would be final and ~~could~~ should not be changed at a later date. The Board can accept the variance; however, City Council will have the final vote of the final plat.

Mr. Han stated that he will put together a memo to City Council so they know what the Board's decision and opinion is on the variances and the final vote.

Mr. Spencer stated that he wants to do something for the betterment of the community and believes the new subdivision would benefit everyone and clean up a stagnate property.

Chairman O'Donnell stated that he would support the decision of the Board and will help Mr. Spencer explain his reasons for variances to City Council and the Boards reasoning for granting the variances.

There are two requests for variances.

1. Curb, Guttering and Sidewalks
2. Storm Water

Mr. Pratt made a motion to not require curb, guttering and sidewalks on a proposed subdivision located at 4th Street and West Street if a preliminary plat is brought back to Planning & Zoning for approval; seconded by Mr. Schmidt. On voice vote the motion carries as follows: ayes – 4, nays – 1, abstentions – 0, absent – 2.

Mr. Pratt asked if an engineer's report would be completed for the complete subdivision.

Mr. Spencer stated that at a minimum, a topographic study would be completed so he would know how to lay out the structures.

Mr. Schmidt stated that he would like more information on storm water before making a decision to exempt storm water.

Chairman O'Donnell stated that he is completely against exempting a storm water analysis.

Mr. Han stated that an engineer's study would have to be completed in order for a storm water recommendation to be made.

Mr. Pratt made a motion to grant an exemption on storm water requirements for the proposed subdivision located at 4th Street and West Street; seconded by Mr. Hamlet. On voice vote the motion carries as follows: ayes – 1, nays – 4, abstentions – 0, absent – 2.

Item 5: Unfinished Business

A: Comprehensive Plan

The Board asked for City Council representatives to attend that March 11, 2013 meeting to discuss the Board's ideas and thought on updating the Comprehensive Plan. Mayor Clark was the only Council member that attended.

At the March 11, 2013 meeting, Mayor Clark indicated to the Board that he thought it was prudent that the Comprehensive Plan be updated.

Mayor Clark was asked to take the Board's thoughts to Council and get their ideas and bring back a direction to the Planning & Zoning Board. Nothing has been presented to the Board as of this date.

Chairman O'Donnell asked City Manager Mark Gaugh if he could be added to the agenda on April 15, 2013 to talk about Planning & Zoning's plans for working on the Comprehensive Plan.

B: CUP (Uncategorized Requests)

The issue of uncategorized requests under conditional use permits was discussed with the City Attorney Mitch Elliott. Mr. Elliott's recommendation was to stay with the current requirements listed under CUPs and to not add a miscellaneous category. If a specific CUP is not listed under residential, an individual could not apply.

In Article 17, C-1 Central Commercial District, there is a statement that reads "other uses of a similar character" and he believes the business of taxidermy would fit in this category.

Item 6: Future

A: Public Hearing for Property Maintenance Code Revision

There have been a few instances where summons have been issued for individuals parking on bare ground without concrete or clearly visible gravel. However, cases have been lost because individuals add gravel after the summons is issued or when someone physically stands on the parking area and looks down there is gravel that is visible, just not from the street.

The intent of the code was to keep people from dragging mud and other unwanted items into the street.

The City Attorney would like to change the code to state there should be not additional rutting in the yard.

Item 7: Miscellaneous and Updates

A: Remarks

Chairman O'Donnell commended the Board and their discussion on the proposed subdivision by Mr. Spencer. He believes that the Board will be able to justify the reasons as to why the variances were granted.

B: City Website

Mr. Garges stated that the minutes and agendas from the Planning & Zoning meeting were not being uploaded to the City website. The last agenda and minutes that have been uploaded were from March 2012.

Mr. Han stated that he will look into the issue and see why the minutes and agendas are not being placed on the City Website.

Item 9: Adjourn

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

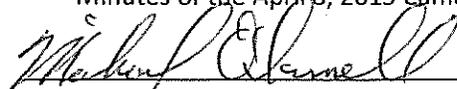
Meeting adjourned at 7:50 pm.

Next scheduled meeting of the Cameron Planning and Zoning is May 13, 2013.

Minutes submitted by:

*Chris O'Donnell
Secretary Recorder
Cameron, MO 64429*

Minutes of the April 8, 2013 Cameron Planning and Zoning Commission approved on June 10, 2013



Chairman Michael O'Donnell