

AGENDA

CITY OF CENTRALIA, MISSOURI

Planning and Zoning Commission

Thursday, April 20, 2017

6:30 P.M.

City Hall Council Chambers

- I. ROLL CALL
- II. PLEDGE OF ALLEGIANCE
- III. APPROVAL OF MINUTES OF PREVIOUS MEETINGS - *October 27, 2016*
- IV. AMENDING SECTION 31-27 B AND 31-29, OF THE CENTRALIA CITY CODE, TO ADD SELF-SERVICE STORAGE FACILITIES AS A CONDITIONAL USE IN B-2 HIGHWAY BUSINESS AND AS PERMITTED USE IN M-1 INDUSTRIAL DISTRICTS IN THE CITY OF CENTRALIA, MISSOURI..
 - A. Public Hearing
 - B. Commission Recommendation
- V. REQUEST TO VACATE AN EASEMENT SOUTH OF WEST SINGLETON STREET BETWEEN SOUTH COLUMBIA STREET AND THE COLT RAILROAD RIGHT OF WAY
 - A. Commission Recommendation
- VI. REQUEST TO VACATE AN EASEMENT SOUTH OF EAST SOUTHGATE STREET BETWEEN FULLENWIDER STREET AND THE ALLEY PARALLEL AND BETWEEN FULLENWIDER STREET AND NORTH COLUMBIA STREET.
 - A. Commission Recommendation
- VII. SIGNS IN "B-T" PLANNED TRAILER COURT DISTRICT
- VIII. COMPREHENSIVE PLAN UPDATE
- IX. AS MAY ARISE
- X. ADJOURN

From: Matt Harline, City Administrator
To: Planning & Zoning Commission
CC: Thompson Law Firm, City Attorney
Date: April 20, 2017
Re: General Meeting Notes



Item IV. Amending Chapter 31-27B of the Centralia City Code to add “Self-service Storage” as a conditional use in B-2 Highway Business Zoning district and as a permitted use in M-1 Industrial Zoning District.

The Centralia City Code is silent to the specific use of “Self-service Storage Facilities.” The clearest interpretation of the Code seems to indicate that self-service storage would be a conditional use in B-2. See below excerpts from the Centralia City Code (the Code) that list some of the permitted uses and some conditional uses

Permitted uses include the following:

31-27 A. Permitted Uses. *In District "B-2", no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed or altered, except for one (1) or more of the following uses:*

1. *Any use permitted in District "B-1".*
2. *Armories.*
3. *Trailer sales premises, other than premises where used vehicles are dismantled or used parts are sold....*
24. *Storage in bulk of, or warehouse for, such materials as clothing, drugs, dry goods, food, furniture, glass, groceries, hardware, household goods, liquor, lubricating oil, millinery, paints, paint materials, pipe, rubber, shop supplies, tobacco, turpentine, varnish and wines, all when incidental to sale at retail on the premises...*
28. *Any retail business or use of a similar character to those listed above and not included in District "B-1"; provided, that such use is not noxious or offensive by reason of vibration, noise, odor, dust, smoke or gas.*
29. *Lumber yards.*
30. *Accessory uses customarily incident to any of the above uses.*

The conditional uses for B-2 are listed below

31-27 B. Conditional Uses. *The following uses shall be permitted in District "B-2" only after the issuance of a conditional use permit pursuant to the provisions of Section 31-65:*

1. *Light manufacturing.*

2. *Warehousing.*

In addition to other information required to be submitted as a part of the application for issuance of a conditional use permit as provided in Section 31-65, an applicant for a conditional use permit in District "B-2" shall submit plans or information concerning the operation of the proposed use, including:

a. Number of employees.

b. Sufficiency of and site location of parking, fencing, storage and handling of materials and products,

c. Method and frequency of shipping operations,

d. Generation and emission of noise, vibrations, odors, dust, smoke, gases, or other effects of operations which may be noxious, unwholesome, unhealthy or offensive, and

e. Exterior appearance of all structures, fences and the site.

Limitations relating to the above listed items may be made a part of any stipulated conditions, if a conditional use permit is granted.

In M-1 (Section 31-29 A of the Code) the following are among those listed as permitted uses:

LL. *Storage in bulk of, or warehouse for, such materials as asphalt, brick, building materials, cement, coal, contractors' equipment, cotton, feed, fertilizer, gasoline, grain, gravel, grease, hay, ice, iron, lead, lime, machinery, metals, oil, plaster, poultry, roofing, rope, sand, steel, stone, tar, tarred or creosoted products, terra cotta, timber, wood, wool, raw material, or semi-finished or finished products used or handled incident to any use permitted in this Section...*

NN. *Warehousing.*

OO. *Any other manufacturing establishment; provided, such establishment can be operated without creating objectionable vibration, noise, odor, dust, smoke, fumes, vapor or gas, and the use is compatible with the use and occupancy of adjoining properties.*

PP. *Accessory uses customarily incident to any of the above uses.*

Because the definition of storage in Subsection 31-27 A. 24. (B-2 District) makes reference to it being a part of a retail operation, it would suggest that the current Code would not permit self-service storage in B-2, unless it is via the interpretation of the words, "*retail business or use of a similar character to those listed above*" Subsection 31-27 A. 28. However, there are at least three examples of self-service storage currently operating in B-2 zoned districts. The current self-service storage operations would have the right to continue as a legal non-conforming use (sometimes called grandfathered) until the use was abandoned.

One reason to codify the facilities as a conditional use is to ensure that future storage facilities would be properly screened at entrances to town, near residential areas and or other sensitive

areas. This would help maintain the visual appeal of Centralia.

Staff recommendation: Staff believes that the most appropriate designation would be to clearly include self-service storage among conditional uses in B-2 and permitted uses in M-1 districts. This would give City officials the ability to add screening requirements in areas that serve as entrances to the City of Centralia. If the Commission agrees with this then a motion to recommend that the City add **“Self-service Storage” as a conditional use in B-2 Highway Business Zoning district and as a permitted use in M-1 Industrial Zoning District,**” would be in order. If the current practice is acceptable, then the Commission should make a motion to recommend that the City add **“Self-service Storage” as a permitted use in B-2 highway business zoning district.**

Item V. Request to vacate street easement south of West Singleton Street between South Columbia Street and the COLT RR right-of-way.

The owners of the property to the south of this easement (easement marked in orange) are considering options for building a residential building or buildings. It is practically certain that the City will never build a street in this corridor where the road bed of Singleton Street was. Therefore abandoning the street right-of-way would be of little consequence to the City. However, there would remain a tiny almost triangular sliver of land that belongs to the City remaining. This piece of land is bounded on the west by a line that is 55 feet wide and on the north by a boundary that is 158 feet long. These two sides meet at an angle slightly less than 90°. The “hypotenuse” of the triangle is made-up of two lines that total 162 feet in length. The City may want to consider declaring part or all of this land surplus as well and thereby releasing the rest of the right-of-way easement.

Whatever the Commission and Board of Aldermen decide to do, there will have to be a utility easement secured for the powerlines that run across the vestigial roadbed and right-of-way easement for the sidewalk on the south side of West Singleton Street between Columbia Street and the COLT RR right-of way.

At one point there had been some discussion of using this piece of land as a spot for a depot or landing spot for a passenger train/dinner train on the COLT line. At this point that is not very likely. If the COLT RR were ever abandoned for a trail, this would make a nice trailhead.

Staff recommendation: Staff feels that the right-of-way easement and the sliver of property is of little or no value to the City. If they can enhance the chance of development by releasing the street right of way, while retaining the necessary easements for utilities and sidewalk, then this might be a good option for the City. If the property owner to the south is willing to draft the legal documents, staff recommends vacating the easement and declaring the property to the north as surplus. This could be accomplished by making a motion **to vacate the right-of-way easement south of West Singleton Street between South Columbia Street and the COLT RR right-of-way adjacent to the property at 420 West Singleton Street..**

Item VI. Request to vacate street easement south of Southgate between Fullenwider and the alley to the east.

The Torreysons are requesting that the City vacate part of the right-of-way on the south side of Southgate Street. A rough diagram of the area that could be vacated is included in the packet along with the letter sent by Darren Adams on behalf of the property owner.

The dedicated right-of-way easement is an irregular shape that is approximately 100 feet across at the northwest corner of the Torreysons' property. The right-of-way to the west for Southgate is 50 feet or less, with the street shifted to the south of the dedicated right-of-way. To the east the right-of-way expands to 80 feet in width from a point east of Columbia Street all the way to Jefferson St. The likelihood of obtaining the necessary right-of-way for a full 60 foot width west of the site for the purpose of widening Southgate Street is slim, and even less that we could secure a full 80 foot easement. It is doubtful that this would ever be a high priority.

The request is reasonable, however if the Commission finds that it is in the City's best interest to vacate part of the easement, we will need to clarify if the City wants to maintain a full 60-foot easement on a line parallel and 60 feet to the south of the right-of-way on the north side, or merely 30 feet from the center of the road on the south side or some other arrangement. Neither of those two options are perfect due to the fact that the road is not centered in the right of way. I believe that vacating the easement to leave a thirty-foot (30') right-of-way easement from the center of the current road and parallel to the current orientation of Southgate Street, would allow for a future expansion of the road and provide the Torreyson's with enough land to build additional housing in Centralia. The right of way at the west end of this vacation would be slightly less than sixty feet (60'), but there is no gain to the City to keep more land to the south of the current roadway. Any expansion of the roadway that would use that piece of land, even if the Road District Building were relocated and additional right-of-way obtained, would require a complete re-orientation of the street and fairly sharp bend to the south before straightening out proceeding east.

The request does not include a precise legal description as the property owner and builder wanted to get a recommendation from the P&Z Commission before they drew up an exact legal description. It would be their responsibility to get it surveyed and send a legal description to the City to verify and include in an ordinance.

Staff recommendation: Staff feels that the full right-of-way easement is of little or no value to the City. If it enhances the chance of development by releasing a strip of the street right of way to the Torreysons, that is 30 feet from the road center and parallel to the current roadway immediately adjacent to the north edge of the Torreysons' property, then this might be a good option for the City. If the property owner to the south is willing to draft the legal documents staff recommends vacating the easement. This could be accomplished by making a motion **to vacate a portion of the right-of-way easement for Southgate Street that is 30 feet from the center of the existing roadway and parallel to the existing street along the land immediately adjacent to the parcel owned by Mr. and Mrs. Toreyson at 424 North Fullenwider Street.**

Item VII. Signs in "B-T" Planned Trailer Court District.

The new owner's of the Trailer Court on MO HWY 22 would like to erect a new sign. The Centralia City Code for zoning district B-T specify that a sign can be put up as part of the plan. As this is essentially a planned district, changes to that plan need to follow the existing law. Currently the Code requires a change to the original plan. This language has not changed since the original ordinance was adopted in 1961. Unfortunately the language gives no option for making a minor amendment like installing a larger sign, and there is no record in the City's file of there ever being

a sign in the original plan or any amendment, that I can find. The previous sign has been removed and a new sign in a similar place has been requested.

Section 31-42 Use regulations. [Ord. No. 738 § 13, 1-9-1961; Ord. No. 2302 § 1, 6-21-2004]

In District "B-T", no building, structure, land or premises shall be used, and no building or structure shall be erected, constructed, reconstructed or altered, except in conformance with the final development plan and except for the following uses:

A. For use as a trailer court (sometimes referred to as a mobile home court) upon which two (2) or more mobile homes or manufactured homes occupied for dwelling or sleeping purposes are located, regardless of whether or not a charge is made for such accommodation. Any mobile home or manufactured home placed after June 21, 2004, in such a trailer court shall have been built after December 31, 1983.

B. Accessory uses customarily incident to the above use; **provided, that there shall be no billboards and that there shall be only one (1) sign showing the name of the place of business and the service offered there.** Such sign or structure shall be of permanent construction and the design shall be submitted as a part of the preliminary and final development plan.

Staff recommendation: Staff recommends that an amendment be made to the Code allowing for a new sign to be erected in B-T Planned Trailer Court District within a given set of specifications. A sign application and building permit would be required under the code already. If the Commission agrees a motion could be made **to schedule a public hearing and ask for a formal recommendation by the City Board of Aldermen when they meet in Committee.**

VIII. Comprehensive Plan Update.

We have received 403 completed surveys; 139 on paper and 274 via Survey Monkey. My goal is 500 completed surveys. We will be working with the MMRPC to schedule a reconvening meeting to review the draft plan and the survey results soon. The meeting will probably be held in May. The plan would then go before this Commission for review and when the Planning and Zoning Commission was satisfied with the product it would go on to the Board of Aldermen for final approval.

Minutes of the City of Centralia, Missouri Planning and Zoning Commission Meeting of Thursday, October 27, 2016.

The meeting was called to order at 6:00 p.m.

ROLL CALL – Commissioners Present: LeeAllen Smith (Chair), Alderman Jim Lee, Dale Hughes, Mayor Tim Grenke, Don Bagley, Harvey Million, Guy Lee and Electric Foreman, Mark Mustain, Absent: None. Alderman and (a quorum was present). Also present were City Attorney, Randall Thompson, City Administrator, Matt Harline, Carli Conklin, Brent Erisman and Tiffani Shuman, Principal at Chance Elementary School.

Pledge of Allegiance

Chairman Smith led those present in reciting the Pledge of Allegiance.

Minutes

Minutes from the previous meeting (August 11, 2016) were presented to the Commission. Smith noted a small error on page 4 where Mr. Lee moved and seconded a. Harline agreed to fix the error. **Xx made a motion to approve the minutes as amended. The motion was seconded by XX and approved by unanimous voice vote.**

Conditional Use Permit Application from Missouri Network Utility Transport, LLC for a communications tower at 220 South Allen St.

Chairman Smith noted that the application had been withdrawn and it was only a discussion item. Because it had been advertised on site and in the newspaper, and because the company asked for feedback from the citizen, Smith announced that he was willing to allow people to speak about the issue. Smith asked speakers to limit their comments to three minutes. Smith asked if there was a staff report.

Harline noted that the application came in as a request for a utility pole but it met the definition as a communications tower and so that is how the City insisted that the applicant proceed. Harline noted that due to changes in the State law the City's current ordinance was out of date and the Commission may want to ask the Board of Aldermen to recommend that this body recommend changes. Harline noted that the applicant indicated that they would likely be resubmitting an application and that they liked the spot, but they may be willing to alter the height or make other changes. Thompson introduced himself as the City attorney and noted that he reviewed the application and found that it had missing information and that was communicated to this to the applicant. Thompson said that changes to State law over the last two legislative sessions might make it a good idea to review and revise our ordinances.

Smith asked if this was the same company that had made an application previously. Harline said it was the same company but that the type of tower was different; this one is shorter.

Smith asked for comments. Brent Erisman from Martinsburg Bank (214 S. Allen) asked that the letters from his attorney be entered into the record (attached at the end.). Carli Conklin (5000 Stone Mountain Parkway, Columbia) stated that she owned the building at 118 W Sneed and had questions about the placement and composition of the tower. Mustain replied that it was a Douglas Fir wooden pole that it would be about 79 feet above ground and that would make it twice as high as the tallest poles nearby. In answer to a question from Lee, Mustain replied that it could be set there freestanding. Harline replied to questions from the Commission that the company liked the location but indicated that they would be willing to work with the City. Smith said he had concerns about safety not so much the aesthetics. There was a discussion about the City's options and the limits by State law. Thompson noted that this company has been making applications across the state to locate in right of ways. Thompson replied to a question from Million that generally speaking we could apply to our zoning laws but we could not prevent towers from locating in the City. Harline suggested the possibility of using an alley right of way. Harline added that the State laws now told cities that we could tell companies where a better spot would be. Smith asked how much revenue the City could realize. Harline said \$50 for a building permit. Thompson said that these companies did not have the power of eminent domain so they are trying to get access to right of way, but it might be a type of taking. Bagley asked what we could do if they wanted to site it on private property. Thompson said we would be limited to zoning laws. Harline explained that we have easements to most right of way for the purpose of transportation. Erisman asked if they reapplied if it would be completely separate application and Thompson replied in the affirmative. Million asked what the staff was looking for. Harline replied a motion to review the ordinance for communications towers. **Hughes made a motion to request that the Board of Aldermen make a recommendation to review the City's communication tower ordinance. Grenke seconded the motion and it was approved by unanimous voice vote.**

Public Hearing: Conditional Use Permit Application from Centralia R-VI Public Schools for a display sign at 510 South Rollins St.

Smith asked for a staff report. Harline said no formal staff report had been prepared but he described the project. Harline said that at one point a brick feature was suggested that would have made the sign larger in size than allowed but that had been removed and so the application only asked for the sign to be closer and thicker than allowed. The sign would be 5 feet back from the property line instead of 20 feet back and 10.5 inches thick instead of 4 inches. Harline said that there would be wiring for lighting but no mention in the application. Harline said that the application has a precedent in that the City allowed the high school to build a second sign where only one was allowed, to celebrate the state athletic championships. Harline said no written objections had been submitted and so the Commission's word would be final if it is approved. Hughes asked about internal lighting. Harline said the Commission may make additional conditions but staff has no recommendation on lighting. Harline added that the hearing was advertised twice in the Centralia Fireside Guard, on the site and letters were sent to property owners and residents within 185 feet by return receipt.

Smith opened the public hearing. Principal Shuman (510 S. Rollins) apologized for starting the process before asking for permission. Shuman handed out a drawing of the sign (also included in the packet). Shuman said that brick was not part of the current request and her husband had told her that it might not even be feasible. Shuman described the lighting options and the how they would have to take electricity under the sidewalk to wire the sign. Mustain asked if the sign is designed for internal lighting but would not be wired for it at this time. Shuman replied that was required. Harline asked if there was one sign face or two. Shuman said two. Shuman stated that the placement of the sign makes it very visible to parents dropping off children and it would not work well if it had to be set back 20 feet, moreover a tree might have to be removed. Harline noted that they had made application for a sign permit which the staff hadn't acted on pending the decision of the Commission.

Mustain asked for clarification that the application was only for extra thickness and a smaller front yard setback. Harline replied in the affirmative. Smith asked if the school would have to come back to request lighting the sign. Shuman replied in answer to a question from Harline that she was realizing that she had not. Lee asked how many properties the school owned on the across the street. Harline said he thought there was one more and one on Sims. Harline said the ordinance allows the sign to be illuminated. Smith asked if there was any additional comment. Seeing none Smith closed the public hearing.

Bagley made a motion to approve the request for 5 foot setback and a sign of 10.5 inches in thickness. Hughes seconded the motion and it was approved by unanimous voice vote.

Comprehensive Plan Committees

Harline reported that the process was going along well. Harline noted that there will be a meeting of all the subcommittees on November 15th. Harline described some of the discussions that the subcommittees were having. Smith asked about a calendar of all the committee meetings. Harline said that he would get the updated calendar out. Harline said that it would come to Planning and Zoning in January and then it would be sent on the Board of Aldermen.

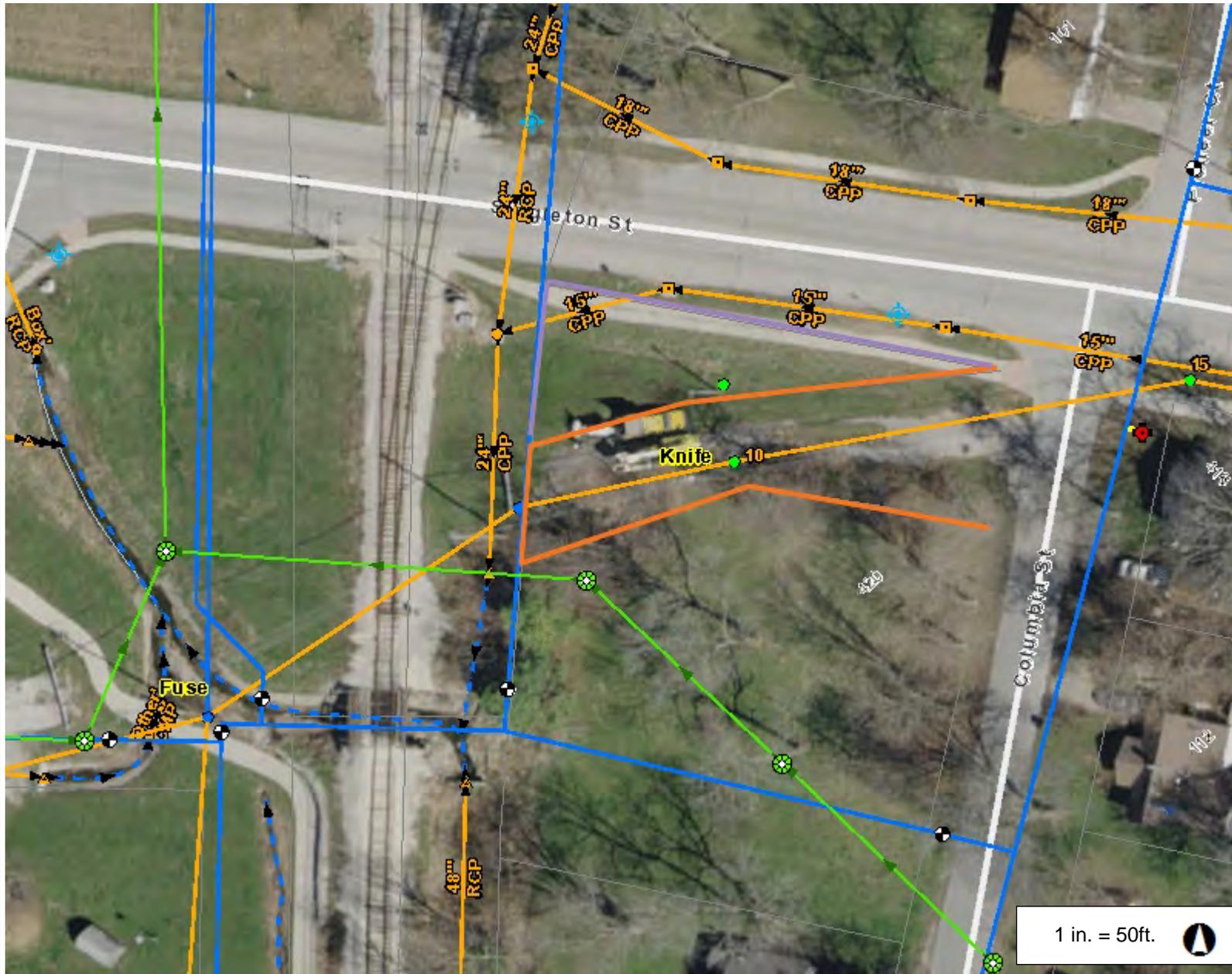
As May Arise

None.

Adjourn

Grenke made a motion to adjourn that was seconded by Bagley and approved unanimously by voice vote. The meeting adjourned at 6:42 p.m.

Centralia, MO



Legend

- Manhole
 - Other
 - Manhole
 - Flush Tank
 - Lamp Hole
- Lift Station
- Gravity Main
- Force Main
- Lagoon
- Fire Hydrant
- Water Valve
- Network Structure
- Water Main
- Water Lateral Line
- Street Light Stand Alone
- Street Light-Primary Pole
- Power Pole
 - <all other values>
 - Ameren
 - CPL
 - Century Link
- Ground Feature
 - Cab
 - J-Box
 - Pad Mount
 - Transclosures

1 in. = 50ft.



100.0 0 50.00 100.0 Feet

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Matt Harline

From: BHarris@farmersnational.com
Sent: Tuesday, March 21, 2017 1:32 PM
To: Matt Harline
Subject: Re: right of way easement

Mr. Harline,

“I am requesting, on behalf of Boyd Harris Properties, LLC, that the City vacate the right-of way easement for the former location of Singleton Street between Columbia Street and the COLT RR right of way. We understand that the City is not able to vacate the utility easement as the cost to move the power line is prohibitive.”

Further, if the "sliver" of land that belongs to the City which lies between the former and current rights of way for Singleton Street is surplus to the city and the City wishes to vacate that as well, then we would be willing to stand the legal/title costs to accomplish these actions and convey the lands to Boyd Harris Properties, LLC.

Thank You for your consideration.

Boyd L. Harris

Adams

WHERE HOMES ARE SOLD *Realty*

109 W. Highway 22
Centralia, MO 65240

Phone: 573-682-5193

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Email: office@adams-realty.com

March 27, 2017

City of Centralia
114 S. Rollins
Centralia, MO 65240

RE: Donald and Christine Torreyson

Dear City Administrator:

This letter is written to ask that the right of way along Southgate and Fullenwider be vacated. Currently the City holds approximately a 100 foot right of way. The City is to maintain 60 foot right of way, 30 foot being on Mr. Torreyson's side. This will affect lot 16 of Centralia OT BLK 8. The actual legal description will be given at the approval of such vacation of the said right of way. This will be provided by Mr. Torreyson's surveyor.

Your prompt attention to this matter would be greatly appreciated.

Cordially,



Darren Adams
Adams Realty



APT 25

APT 25

Clark St

Columbia St

Southgate St

Fultenwider St

APT 25

APT 25

APT 25

Total: 348.91 ft

9.69 ft

50.41 ft

123.76 ft

122.78 ft

