

CLAY COUNTY PLANNING AND ZONING COMMISSION MINUTES

January 8, 2019

Regular meeting of the Clay County Planning and Zoning Commission, Commission Hearing Room, 3rd Floor, County Administration Building, One Courthouse Square, Liberty, MO.

Call to Order at 6:30 pm.

Roll Call

Members Present: Tom Decker, David Rhodus, Jim Carlson, Marvin Davis, Chris Higgins and Terri Griffen

Members Absent:

Staff Present: Kipp Jones, Planning and Zoning Manager
Debbie Brady, Planner
Angie Stokes, Secretary
Andy Roffman, County Counselor

Mr. Carlson: Calls the January 8, 2019 Planning and Zoning Commission meeting to order, request roll call.

Mr. Jones: Chris Higgins?

Mr. Higgins: Present.

Mr. Jones: David Rhodus?

Mr. Rhodus: Present.

Mr. Jones: Marvin Davis?

Mr. Davis: Present.

Mr. Jones: Terri Griffen?

Ms. Griffen: Present.

Mr. Jones: Tom Decker?

Mr. Decker: Present.

Mr. Jones: Chairman Jim Carlson?

Mr. Carlson: Present. Calls for nominations for Chairman of the Planning and Zoning Commission for 2019.

Mr. Decker: Nominates Jim Carlson.

Mr. Carlson: Accepts nomination.

Mr. Higgins: Nominates Tom Decker.

Mr. Decker: Accepts nomination.

Mr. Rhodus: Motions to approve Tom Decker as Chairman.

Mr. Higgins: Seconds the motion.

Mr. Carlson: Calls for a vote.

Mr. Jones: Chris Higgins?

Mr. Higgins: Approve.

Mr. Jones: David Rhodus?

Mr. Rhodus: Approve.

Mr. Jones: Marvin Davis?

Mr. Davis: Approve.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve.

Mr. Jones: Tom Decker?

Mr. Decker: Abstain.

Mr. Jones: Chairman Jim Carlson?

Mr. Carlson: Approve.

Final Vote: 5/0/1 Approve Tom Decker as Chairman

Mr. Decker: Calls for nominations for Vice-Chairman for 2019 Planning and Zoning Commission.

Mr. Higgins: Motions to approve Jim Carlson as Vice-Chairman.

Mr. Davis: Seconds.

Mr. Decker: Calls for a roll call vote.

Mr. Jones: Chris Higgins?

Mr. Higgins: Approve.

Mr. Jones: David Rhodus?

Mr. Rhodus: Approve.

Mr. Jones: Marvin Davis?

Mr. Davis: Approve.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve.

Mr. Jones: Tom Decker?

Mr. Decker: Approve.

Mr. Jones: Jim Carlson?

Mr. Carlson: Approve.

Final Vote: 6/0/0 Approve Jim Carlson as Vice-Chairman

Mr. Decker: Calls for a motion for the approval of December 4, 2018 Planning and Zoning Commission minutes.

Mr. Higgins: Motions to approve the minutes.

Mr. Carlson: Seconds the motion.

Mr. Decker: Calls for a roll call vote.

Mr. Jones: Chris Higgins?

Mr. Higgins: Approve.

Mr. Jones: David Rhodus?

Mr. Rhodus: Approve.

Mr. Jones: Marvin Davis?

Mr. Davis: Abstain.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve.

Mr. Jones: Jim Carlson?

Mr. Carlson: Approve.

Mr. Jones: Chairman Tom Decker?

Mr. Decker: Approve.

Final Vote: 5/0/1 Approve December 4, 2018 Minutes

Mr. Higgins: Stated to the Chairman that he will abstain from the first two cases being heard tonight.

Mr. Decker: So be it. Stated that all cases heard at the Planning and Zoning Commission meeting will be heard by the County Commission meeting on January 28th at 10 am. Asks for staff report on first case, January 19-101RZ/P, a request for rezoning from Agricultural (AG) District to Residential Rural (R-1) District for Lots 1-4 with an Agricultural Land Preservation (ALP) Preservation Overlay District (POD) and preliminary plat approval for the proposed subdivision of Triple H Estates located at approximately 13513 N Eastern Ave, the applicants are Christopher L. and Patricia J. Higgins.

Mr. Jones: Attaches the staff report as part of the official record, summarizes January 19-101RZ/P dated December 7, 2018.

Mr. Carlson: Inquires if the easement had been used?

Mr. Jones: Answered to his understanding it's not on Mr. Higgin's parcel, the understanding is there is a gas pipeline placed on the property to the east.

Mr. Decker: Restated the additional condition to be added would be to complete the research of the blanket easement from the gas company prior to recording of the final plat.

Mr. Jones: Yes that way it will not hold up recording the property.

Mr. Decker: Asked if the Commissioners had any questions.

Mr. Carlson: Inquired if that would be part of the rezoning/preliminary plat or the final plat?

Mr. Jones: Stated technically it needs to be done on the final plat but the condition can be on the preliminary plat as well.

Mr. Decker: Calls for a motion to add a fifth item to Exhibit A with stipulations that staff has adequate time to complete the research on the blanket easement prior to recording the final plat.

Ms. Griffen: Moves to add the condition that the staff will finish researching oil and gas lease and right a way before recording the final plat.

Mr. Davis: Seconds the motion.

Mr. Decker: Calls for a vote.

Mr. Jones: David Rhodus?

Mr. Rhodus: Approve.

Mr. Jones: Marvin Davis?

Mr. Davis: Approve.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve.

Mr. Jones: Jim Carlson?

Mr. Carlson: Approve.

Mr. Jones: Chairman Tom Decker?

Mr. Decker: Approve.

Final Vote: 5/0/1 Approve; Addition of 5th condition

Mr. Decker: Inquires if there is more discussion from the Commission? Being none calls the applicant forward.

Mr. Higgins: States name and address.

Mr. Decker: Asked if he understood the staff report and if the applicant had any questions.

Mr. Higgins: Stated he understood the report and did not have any questions.

Mr. Decker: Opens the public comments.

Mr. Stevenson: States name and address, inquired about the address for the proposed subdivision.

Mr. Jones: Stated the approximate address as 13513 N Eastern Ave, right across from Johnson Ridge.

Ms. Barrios: States name and address, secretary for the Johnson Ridge Homeowners Association.

Stated the biggest concern from Johnson Ridge property owners is the type of homes that will be built on the new lots and how they would affect the value of the homes in Johnson Ridge.

Mr. Decker: Stated the Land Development Code will address the County's requirements of new homes built.

Ms. Barrios: Stated she was told it is a 1,000 square foot minimum for the County on a ranch home, in their subdivision they have a 1,600 square feet minimum.

Mr. Jones: Stated that one level homes in the County, the minimum square footage of living space is 1,000 square feet and if there is more than one level it is 1,400 square feet of living space and the applicant might have more information.

Mr. Higgins: Stated he did not set any stipulation on regulations for a Homeowners Association or a size limit on these lots but knows the size for the homes will be much larger than the minimum.

Ms. Barrios: Inquired about the access to Lot 5.

Mr. Higgins: Stated Lot 5 will be for sale for a single family residence to be placed on it.

Mr. Decker: Stated there is a dedicated easement on the plat for access to lot 5.

Ms. Barrios: Inquired about farm animals being allowed on the lots.

Mr. Jones: Stated in the Clay County Land Development Code large animals are allowed on lots larger than 3 acres with the proper zoning, which these lots do have, can have one large animal unit per acre.

Ms. Barrios: Had no objection to that.

Mr. Decker: Asked for more public comments, being none closes the public comments and entertains a motion for the rezoning of the Agricultural District to Residential Rural District with the Agricultural Land Preservation Overlay District for lot 1, 2, 3, and 4.

Mr. Carlson: Motions to approve the rezoning.

Mr. Davis: Seconds the motion.

Mr. Decker: Calls for a vote.

Mr. Jones: David Rhodus.

Mr. Rhodus: Approve.

Mr. Jones: Marvin Davis?

Mr. Davis: Approve.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve.

Mr. Jones: Jim Carlson?

Mr. Carlson: Approve.

Mr. Jones: Chairman Tom Decker?

Mr. Decker: Approve.

**Final Vote: 5/0/1 Approve; January 19-101RZ/P; Triple H Estates–Rezoning
With zero (0) Conditions**

Mr. Decker: Entertains a motion for the preliminary plat of Triple H Estates with conditions as amended in Exhibit A.

Mr. Carlson: Motions for the approval of the preliminary plat with conditions as amended.

Mr. Rhodus: Seconds the motion.

Mr. Decker: Calls for a vote.

Mr. Jones: David Rhodus?

Mr. Rhodus: Approve with conditions.

Mr. Jones: Marvin Davis?

Mr. Davis: Approve with conditions.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve with conditions.

Mr. Jones: Jim Carlson?

Mr. Carlson: Approve with conditions.

Mr. Jones: Chairman Tom Decker?

Mr. Decker: Approve with conditions.

**Final Vote: 5/0/1 Approve; January 19-101RZ/P; Triple H Estates–Preliminary Plat
With five (5) Conditions**

Mr. Decker: Asks for the staff report on the second case, January 19-102F, a request for final plat approval for the proposed subdivision of Triple H Estates located at approximately 13513 N Eastern Ave, the applicants are Christopher L. and Patricia J. Higgins.

Mr. Jones: Attaches the staff report as part of the official record, summarizes January 19-102F dated December 7, 2018.

Mr. Decker: Asked for a motion to add the fifth condition to Exhibit A as stated in the previous case.

Mr. Carlson: Moved to approve the addition of the condition

Mr. Davis: Seconded the motion.

Mr. Decker: Calls for a vote.

Mr. Jones: David Rhodus?

Mr. Rhodus: Approve.

Mr. Jones: Marvin Davis?
Mr. Davis: Approve.
Mr. Jones: Terri Griffen?
Ms. Griffen: Approve.
Mr. Jones: Jim Carlson?
Mr. Carlson: Approve.
Mr. Jones: Chairman Tom Decker?
Mr. Decker: Approve.

Final Vote: 5/0/1 Approve; Addition of 5th condition

Mr. Decker: Inquires if the Board members had any questions or comments, being none calls the applicant forward.
Mr. Higgins: Stated name and address.
Mr. Decker: Inquired if the applicant understood the staff report and if they had any questions.
Mr. Higgins: Stated he understood the report and did not have any questions.
Mr. Decker: Opens the public comment, being none entertains a motion for the final plat of Triple H Estates with conditions attached in Exhibit A.
Mr. Carlson: Motions to approve the final plat of Triple H Estates with attached conditions.
Mr. Rhodus: Seconds the motion.
Mr. Decker: Calls for a vote.
Mr. Jones: David Rhodus?
Mr. Rhodus: Approve with conditions.
Mr. Jones: Marvin Davis?
Mr. Davis: Approve with conditions.
Mr. Jones: Terri Griffen?
Ms. Griffen: Approve with conditions.
Mr. Jones: Jim Carlson?
Mr. Carlson: Approve with conditions.
Mr. Jones: Chairman Tom Decker?
Mr. Decker: Approve with conditions.

**Final Vote: 5/0/1 Approve; January 19-102F; Triple H Estates– Final Plat
With five (5) Conditions**

Mr. Decker: Asks for a staff report for the third case, January 19-103RZ/P, a request for rezoning from Agricultural (AG) District to Residential Rural (R-1) District with an Agricultural Land Preservation (ALP) Preservation Overlay District (POD) and preliminary plat approval for the proposed subdivision of Noland 2nd Addition located at approximately 18225 NE 122nd Street, the applicant is Douglass F. Noland, Trustee, Noland Joint Trust.
Mr. Jones: Attaches the staff report as part of the official record, summarizes January 19-103RZ/P dated December 11, 2018.
Mr. Decker: Inquires if the Board had any questions, being none calls the applicant forward.
Mr. Noland: States name and address; stated he had read the staff report and understood the conditions in Exhibit A.
Mr. Carlson: Asked if the second house had its own approved septic system?
Mr. Noland: Stated that it does and it was marked on the preliminary plat.
Mr. Decker: Opens public comment, being none entertains a motion for the rezoning from Agricultural (AG) District to Residential Rural (R-1) District with an Agricultural Land Preservation Overlay for Noland 2nd Addition.
Mr. Davis: Motions for the approval.
Mr. Rhodus: Seconds the motion.
Mr. Decker: Calls for a vote.
Mr. Jones: Chris Higgins?

Mr. Higgins: Approve.
Mr. Jones: David Rhodus.
Mr. Rhodus: Approve.
Mr. Jones: Marvin Davis?
Mr. Davis: Approve.
Mr. Jones: Terri Griffen?
Ms. Griffen: Approve.
Mr. Jones: Jim Carlson?
Mr. Carlson: Approve.
Mr. Jones: Chairman Tom Decker?
Mr. Decker: Approve.

**Final Vote: 6/0/0 Approve; January 19-103RZ/P; Noland 2nd Addition– Rezoning
With zero (0) Conditions**

Mr. Decker: Entertains a motion for the preliminary plat of Noland 2nd Addition with conditions in Exhibit A.
Mr. Carlson: Motions to approve the preliminary plat.
Mr. Davis: Seconds the motion.
Mr. Decker: Calls for a vote.
Mr. Jones: Chris Higgins?
Mr. Higgins: Approve with conditions.
Mr. Jones: David Rhodus.
Mr. Rhodus: Approve with conditions.
Mr. Jones: Marvin Davis?
Mr. Davis: Approve with conditions.
Mr. Jones: Terri Griffen?
Ms. Griffen: Approve with conditions.
Mr. Jones: Jim Carlson?
Mr. Carlson: Approve with conditions.
Mr. Jones: Chairman Tom Decker?
Mr. Decker: Approve with conditions.

**Final Vote: 6/0/0 Approve; January 19-103RZ/P; Noland 2nd Addition– Preliminary Plat
With two (2) Conditions**

Mr. Decker: Asks for staff report on fourth case January 19-104F a request for final plat approval for the proposed subdivision of Noland 2nd Addition located at approximately 18225 NE 122nd Street, the applicant is Douglass F. Noland, Trustee, Noland Joint Trust.
Mr. Jones: Attaches the staff report as part of the official record, summarizes January 19-104F dated December 11, 2018.
Mr. Decker: Inquired if there were any questions from the Board, being none calls the applicant forward.
Mr. Noland: Stated name and address.
Mr. Decker: Inquired if the applicant understood the staff report and the conditions attached.
Mr. Noland: Responded he understood the conditions.
Mr. Decker: Open public comment, being none entertains a motion for the final plat of Noland 2nd Addition with the conditions attached in Exhibit A.
Mr. Carlson: Motions to approve the final plat Noland 2nd Addition with the conditions attached.
Mr. Rhodus: Seconds the motion.
Mr. Decker: Calls for a vote.
Mr. Jones: Chris Higgins?
Mr. Higgins: Approve with conditions.
Mr. Jones: David Rhodus.

Mr. Rhodus: Approve with conditions.

Mr. Jones: Marvin Davis?

Mr. Davis: Approve with conditions.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve with conditions.

Mr. Jones: Jim Carlson?

Mr. Carlson: Approve with conditions.

Mr. Jones: Chairman Tom Decker?

Mr. Decker: Approve with conditions.

**Final Vote: 6/0/0 Approve; January 19-104F; Noland 2nd Addition– Final Plat
With two (2) Conditions**

Mr. Decker: Asks for a staff report for fifth case January 19-105RZ/F a request for rezoning from Residential Low-Density (R-1A) District to Agricultural (AG) District (A Portion of Lot 4) and Residential Ranchette (R-5) District with an Agricultural Land Preservation (ALP) Preservation Overlay District (POD) for Only Lots 1-3, A Replat of Lot 2, Lincoln’s Farm, also Lot 1A & Lot 1B of the Replat Lincoln’s Farm Lot 1 for the proposed subdivision of Lincoln’s Farm – Second Plat and final plat approval, located at approximately the southeast corner of Lancaster Road and NE 108th Street, the applicants are Bruce and Donna Blanch and Karlen R. Pangborn.

Mr. Jones: Attaches the staff report as part of the official record, summarizes January 19-105RZ/F dated December 24, 2018.

Mr. Higgins: Inquired if there would be any issues with adding the new utility easements for the future?

Mr. Jones: Stated the staff feels adding the extra utility easements is not going to matter.

Mr. Decker: Asked for any other questions from the Board members, being none calls the applicant forward.

Mr. Blanch: States name and address.

Mr. Decker: Inquired if the applicant understood the staff report and if he had any questions.

Mr. Blanch: Responded he did not have any questions

Mr. Decker: Open public comments.

Mr. Swafford: Stated his name and address. Stated he did not receive his certified letter (*a letter was sent and notice left by the mail carrier for him to pick it up at the post office*). Concerned about what type of home will be built on the new lot.

Mr. Decker: Stated the applicant can answer that if he would like to come back up to the podium.

Mr. Pendergast: Stated name and address. Concerned about the new plat enhancing the neighborhood or will it detract, would like to know what the intention is for the new lot.

Mr. Higgins: Stated that the Planning and Zoning Commission is an advisory board and they look at if this case meets the Comprehensive Plan for the overall overlay as far as the intentions of the owner you may want to talk to him outside of this meeting or he can come back up and answer the concerns of the neighbors.

Mr. Jones: Stated the staff looks at if this change meets the Land Development Code and the Comprehensive Plan and if it meets all criteria then it should be approved, we have our minimum building standards that applies to all of un-incorporated Clay County but it is not a Planning and Zoning issue if any property owner decides to rent out their property.

Mr. Pendergast: Inquired if the proposed lot followed the same rules for the minimum square footage of a house built in Clay County

Mr. Jones: Confirmed that it does have to comply with County codes.

Mr. Daniels: Stated name and address. Stated when the original owner platted the lots for Lincoln’s Farm that there was a minimum road frontage and lot length was set so a limited number of houses could be built in that area.

Mr. Jones: Stated that the County has a minimum 300 foot of road frontage per lot, which this proposed subdivision meet those codes and there is not a minimum depth for a lot but there is a maximum that a lot can have.

Mr. Daniels: Inquired when the code changed for this area so another lot could be created.

Mr. Jones: Replied he has not known the County to have a minimum depth, there is a minimum acreage and a maximum depth that property cannot exceed.

Ms. Prendergast: Stated name and address; stated she did not receive a certified letter notifying of the rezoning of this property (*Ms. Prendergast's property is outside the 1,000 feet range required to send certified letters*). Concerned about the condition of the existing property, looks like a storage lot for Mr. Blanch's roofing company and would like to know what the new lot will be used for.

Mr. Jones: Stated that for every case the County's Code Enforcement Inspector goes out and inspects the property for code violations. Pictures were taken of this property and there may be a couple cars that could be junk cars.

Mr. Swafford: Inquired about livestock restrictions in R-5 zoning.

Mr. Jones: Replied in R-5 zoning and the property is over 3 acres animals are allowed, one animal unit per acre. For example a horse or a cow count as 1 animal unit and smaller animals count for less.

Mr. Decker: Asked if there were any more comments, being none closes the public comments and asks for any questions from the Board members, being none asks the applicant to come up to the podium to address any of the neighbor's concerns.

Mr. Blanch: Stated he is currently going to use the lot for hay, not planning and building anytime soon.

Mr. Decker: Being no further discussion entertains a motion for the rezoning of Lincoln's Farm – Second Plat.

Mr. Carlson: Motions to approve the rezoning.

Mr. Davis: Seconds the motion.

Mr. Decker: Calls for a vote.

Mr. Jones: Chris Higgins?

Mr. Higgins: Approve.

Mr. Jones: David Rhodus.

Mr. Rhodus: Approve.

Mr. Jones: Marvin Davis?

Mr. Davis: Approve.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve.

Mr. Jones: Jim Carlson?

Mr. Carlson: Approve.

Mr. Jones: Chairman Tom Decker?

Mr. Decker: Approve.

**Final Vote: 6/0/0 Approve; January 19-105RZ/F; Lincoln's Farm–Second Plat– Rezoning
With zero (0) Conditions**

Mr. Decker: Entertains a motion for the final plat of Lincoln's Farm – Second Plat with the conditions attached in Exhibit A.

Mr. Davis: Motions to approve the final plat with conditions.

Mr. Higgins: Seconds the motion.

Mr. Decker: Calls for a vote.

Mr. Jones: Chris Higgins?

Mr. Higgins: Approve with conditions.

Mr. Jones: David Rhodus.

Mr. Rhodus: Approve with conditions.

Mr. Jones: Marvin Davis?

Mr. Davis: Approve with conditions.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve with conditions.

Mr. Jones: Jim Carlson?

Mr. Carlson: Approve with conditions.

Mr. Jones: Chairman Tom Decker?

Mr. Decker: Approve with conditions.

Final Vote: 6/0/0 Approve; January 19-105RZ/F; Lincoln’s Farm-Second Plat– Final Plat With two (2) Conditions

Mr. Decker: Asks for a staff report on the sixth case, January 19-106RZ/P, a request for rezoning from Agricultural (AG) District to Residential Rural (R-1) District for only Lot 1 with an Agricultural Land Preservation (ALP) Preservation Overlay District (POD) and preliminary plat approval for the proposed subdivision of Hedgecorth Acres located at approximately 23403 NE 100th Street, the applicants are Edwin A. and Marta S. Hedgecorth.

Mr. Jones: Attaches the staff report as part of the official record, summarizes January 19-106RZ/P dated December 20, 2018.

Mr. Carlson: Inquires if the new sixty foot easement cancelled out the other shared driveway with the neighboring property owners.

Mr. Jones: Stated it would not, it would be an addition to that, it will sit on their property and only serve as an access for the back lot.

Mr. Decker: Inquired if there were any other questions or discussion from the Board members, being none calls the applicant forward.

Mr. Hedgecorth: Stated name and address.

Mr. Decker: Asks the applicant if he understood the staff report and the conditions.

Mr. Hedgecorth: Replied yes.

Mr. Decker: Asked applicant if he had any question.

Mr. Hedgecorth: Replied he did not have any questions.

Mr. Decker: Opened public comments, being none entertains a motion for the rezoning of Hedgecorth Acres.

Mr. Carlson: Motions to approve.

Mr. Rhodus: Seconds the motion.

Mr. Decker: Calls for a vote.

Mr. Jones: Chris Higgins?

Mr. Higgins: Approve.

Mr. Jones: David Rhodus.

Mr. Rhodus: Approve.

Mr. Jones: Marvin Davis?

Mr. Davis: Approve.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve.

Mr. Jones: Jim Carlson?

Mr. Carlson: Approve.

Mr. Jones: Chairman Tom Decker?

Mr. Decker: Approve.

Final Vote: 6/0/0 Approve; January 19-106RZ/P; Hedgecorth Acres– Rezoning With zero (0) Conditions

Mr. Decker: Entertains a motion for the preliminary plat of Hedgecorth Acres with conditions attached in Exhibit A.

Mr. Carlson: Motions to approve the preliminary plat with conditions.

Mr. Davis: Seconds the motion.

Mr. Decker: Calls for a vote.

Mr. Jones: Chris Higgins?

Mr. Higgins: Approve with conditions.

Mr. Jones: David Rhodus.

Mr. Rhodus: Approve with conditions.

Mr. Jones: Marvin Davis?
Mr. Davis: Approve with conditions.
Mr. Jones: Terri Griffen?
Ms. Griffen: Approve with conditions.
Mr. Jones: Jim Carlson?
Mr. Carlson: Approve with conditions.
Mr. Jones: Chairman Tom Decker?
Mr. Decker: Approve with conditions.

**Final Vote: 6/0/0 Approve; January 19-106RZ/P; Hedgecorth Acres– Preliminary Plat
With three (3) Conditions**

Mr. Decker: Asks for a staff report for the seventh case, January 19-107F, a request for final plat approval for the proposed subdivision of Hedgecorth Acres located at approximately 23403 NE 100th Street, the applicants are Edwin A. and Marta S. Hedgecorth.
Ms. Jones: Attaches the staff report as part of the official record, summarizes January 19-107F dated December 21, 2018.
Mr. Decker: Asks if there are any questions or discussion from the Board members, being none calls the applicant forward.
Mr. Hedgecorth: Stated name and address.
Mr. Decker: Inquired if the applicant understood the staff report and the conditions attached.
Mr. Hedgecorth: Replied he understood.
Mr. Decker: Opened public comment, being none entertains a motion for the final plat of Hedgecorth Acres with conditions attached in Exhibit A.
Mr. Davis: Motions to approve with conditions.
Mr. Rhodus: Seconds the motion.
Mr. Decker: Calls for a vote.
Mr. Jones: Chris Higgins?
Mr. Higgins: Approve with conditions.
Mr. Jones: David Rhodus.
Mr. Rhodus: Approve with conditions.
Mr. Jones: Marvin Davis?
Mr. Davis: Approve with conditions.
Mr. Jones: Terri Griffen?
Ms. Griffen: Approve with conditions.
Mr. Jones: Jim Carlson?
Mr. Carlson: Approve with conditions.
Mr. Jones: Chairman Tom Decker?
Mr. Decker: Approve with conditions.

**Final Vote: 6/0/0 Approve; January 19-107F; Hedgecorth Acres– Final Plat
With three (3) Conditions**

Mr. Decker: Asks for a staff report on the eighth case, January 19-108CUP, a request for a Conditional Use Permit to operate a public training and riding stable on Agriculturally (AG) zoned property located at 10616 NE 137th Street, the applicants are Thomas M. Hindsley and Krista Kovach-Hindsley.
Mr. Jones: Attaches the staff report as part of the official record, summarizes January 19-108CUP dated December 20, 2018.
Mr. Decker: Asks if Board members had questions, being none calls the applicant forward.
Ms. Kovach-Hindsley: States name and address.
Mr. Decker: Inquires if the applicant understood the staff report and conditions attached.
Ms. Kovach-Hindsley: Replied she understood.

Mr. Decker: Open for public comment, being none entertains a motion for the Conditional Use Permit with the conditions attached in Exhibit A.
Mr. Carlson: Motions to approve.
Mr. Davis: Seconds the motion.
Mr. Decker: Calls for a vote.
Mr. Jones: Chris Higgins?
Mr. Higgins: Approve with conditions.
Mr. Jones: David Rhodus.
Mr. Rhodus: Approve with conditions.
Mr. Jones: Marvin Davis?
Mr. Davis: Approve with conditions.
Mr. Jones: Terri Griffen?
Ms. Griffen: Approve with conditions.
Mr. Jones: Jim Carlson?
Mr. Carlson: Approve with conditions.
Mr. Jones: Chairman Tom Decker?
Mr. Decker: Approve with conditions.

**Final Vote: 6/0/0 Approve; January 19-108CUP; Emerald Equestrian Center, LLC–
Conditional Use Permit
With ten (10) Conditions**

Mr. Decker: Asks for a staff report for the ninth case, November 18-131A, a public hearing for approval of revisions to the 2011 Clay County Land Development Code (LDC), an ordinance encompassing the zoning and subdivision of land in unincorporated Clay County, the applicant is Clay County, this case was continued from the December 4, 2018 Planning and Zoning Commission Meeting for further discussion and consideration.
Mr. Jones: Attaches the staff report as part of the official record, summarizes November 18-131A dated December 18, 2018.
Mr. Decker: Stated he was glad the staff was able to work with the Clay County Public Health Center to allow for a septic for a temporary use for RV's and agreed with the fees stated in the staff report, asks if the Board had any questions or comments from the Board.
Mr. Carlson: Stated his thought the fees were set too high and would like the fees cut in half.
Mr. Rhodus: Stated that he agreed that the fees should be lower.
Mr. Decker: Stated either way was fine with him.
Mr. Roffman: Stated the fees would not be voted by the Planning and Zoning Commission it would be a suggestion and the County Commissioners set the fee schedule and they would decide the amount to charge for a Temporary RV Use Permit.
Mr. Jones: Stated he would like the opinion of the Planning and Zoning Commission so he would know what to propose to the County Commission for a fee.
Mr. Roffman: Stated Kipp can give a recommendation and say what the discussion was at the Planning and Zoning Commission meeting but it is up to the County Commissioners to set the fee.
Mr. Jones: Stated he would like some fee to cover paperwork and inspections but would like to hear what the Planning and Zoning Commission thinks would be a fair fee.
Mr. Decker: Replied a recommendation would be \$750.00 for the year and for the six month extension fee also be \$750.00.
Mr. Rhodus: Agreed.
Mr. Carlson: Agreed.
Mr. Decker: Opened for public comments, being none entertains a motion for the amendment to the 2011 Land Development Code regarding the Prohibited Accessory Use.
Mr. Carlson: Motions to approve the amendment to the 2011 Land Development Code as presented.
Mr. Rhodus: Seconds the motion.
Mr. Decker: Calls for a vote.
Mr. Jones: Chris Higgins?

Mr. Higgins: Approve.
Mr. Jones: David Rhodus.
Mr. Rhodus: Approve.
Mr. Jones: Marvin Davis?
Mr. Davis: Approve.
Mr. Jones: Terri Griffen?
Ms. Griffen: Approve.
Mr. Jones: Jim Carlson?
Mr. Carlson: Approve.
Mr. Jones: Chairman Tom Decker?
Mr. Decker: Approve.

**Final Vote: 6/0/0 Approve; November 18-131A; 2011 Land Development Code–
Amendment**

With zero (0) Conditions

Mr. Decker: Calls for staff report on tenth case, December 18-134F, a request of a Residential Services District Multi-Family (R-SDM) with a Planned Unit Development (PUD) overlay Final PUD Plan approval of Prairie Field and Final Plat approval of the proposed subdivision of Prairie Field 1st Plat, located at approximately the northeast corner of Plattsburg Road and NE 112th Street, the applicant is Steve Warger, P.E. Renaissance Infrastructure Consulting representing Meridian Properties, LLC, this case was continued from the December 4th, 2018 scheduled Planning and Zoning Commission meeting.

Mr. Jones: Attaches the staff report as part of the official record, summarizes December 18-134F dated December 14, 2018.

Mr. Carlson: Inquired about the reduction of the setbacks on the corner lots, what is the utility easement?

Mr. Jones: Replied on the side setbacks the utility easement is 10 feet and a 20 foot build line.

Mr. Carlson: Inquired where that would put the sidewalk?

Mr. Jones: Stated the applicant may be able to answer that.

Mr. Decker: Called the applicant forward.

Mr. Warger: Stated name and address. Stated the sidewalk would be within the right a way and the 10' easement is outside the right-of-way and then there is a 20 foot setback, the sidewalk should be one to two feet inside the right-of-way so that will be 21 to 22 feet away from the house.

Mr. Carlson: Stated he did not see anything about the water runoff and plans for storm sewers.

Mr. Warger: Replied the storm drainage study was provided between preliminary and final submission is a very large detention basin that will be dry and will get the release rate at or less than what it is now as far as the peak discharge. Majority of the storm sewer will be enclosed at least in the streets and going to the back of the lots and maybe to the swells at that point but the water will go to the detention facilities. At this point detention area will be used in the future phases, there will be other detention in the northwest corner.

Mr. Carlson: Inquired if there will storm sewer between the lots.

Mr. Warger: Replied in some cases there will be and that is some of the easements going through there, and stated if the utilities needs another easement down one of the lot lines that can be done, but the final design has not been received yet to see where they will be going.

Mr. Decker: Inquired if the 9.76 acres was the storm water detention area.

Mr. Warger: Confirmed that it is the detention area.

Mr. Decker: Inquired if it will control discharge.

Mr. Warger: Replied yes.

Mr. Carlson: Inquired if the improvement for the culverts under the road had been addressed in the plans.

Mr. Warger: Replied a little bit had been addressed, the culvert at NE 112th and Plattsburg Road in both directions, the subdivision is tying on to the top of that and in one case they are fluming and extending the culvert to the ditch. The main intersection at NE 115th Terrace is close to the high point

so the water will be going both directions and the water coming off the subdivision will be taken care of the rest will be in the ditches and berms will be put in all along Plattsburg Road.

Mr. Carlson: Stated he had been out there on the north half comes to a culvert and goes directly into the subdivision across the street and it is a three foot culvert and down from that it looks like a spring there, it's full and the culvert there is in terrible condition. In Private Gardens they have five to six foot culverts to drain the lake, his concern is the size of the culverts and if that had been addressed.

Mr. Warger: Replied with the storm drainage study they look at the existing conditions based on the hydraulics within the subdivision and then don't increase that release rate. So they will not be increasing the amount of flow in the existing conditions by design from adding the streets, the detention baseline will act like a funnel and will only let so much out.

Mr. Carlson: Inquired about the northwest corner being very low and a cul-de-sac being there. If there was something going to be done about the grade there?

Mr. Warger: Replied there will be and it will be in the final design, it will be filled to a certain level and will have the appropriate storm water discharge and the appropriate detention in that area also.

Mr. Decker: Inquired if the Clay County Highway Department had reviewed everything and feel comfortable about moving forward at this time with the new subdivision.

Ms. Griffen: Replied based on the restrictions they have placed in the conditions, they are comfortable passing the subdivision. They had looked at the stormwater study, and had the County on call engineer look at that and the Highway Department feels like the drainage is acceptable and the existing culverts under the road should be able to handle the new drainage.

Mr. Jones: Added the stormwater study was specific about looking at the downstream culverts, the County on call engineer did look at that.

Mr. Decker: Stated the plat shows a ten acre retention pond with a control discharge, that is a lot of water.

Mr. Warger: Stated in the ten acres won't be totally full of detention but they are using the natural terrain so nothing will be dug out, build a dam and let it flow in there naturally, the volume and free board in there. And there is the area where the trails will be located. Had a concern on condition number seven, it states all improvements of the trails/landscaping requirements and tract improvements noted on the Final PUD Plan are required to be completed before the recording of the related Final Plat, applicant is concern as they do the final plats and construct the streets the storm and sanitary as quick as possible so people can start building normally the trails lag behind they would like that conditions revised so the trails have to be complete by the time the fifth occupancy permit is issued. To hold up on building on the lots and selling the lots because of the trail they would like a concession there.

Mr. Decker: Replied that was a reasonable request, based on the order of developing trails would be the last thing to go in.

Mr. Warger: Stated once the building starts it will take four or five months to get built and that would give them time to put the trails in, but the staff would like some leverage to make sure the trails are complete.

Mr. Jones: Stated if the Commissioners would like to change that condition staff requests a way to enforce a way for the trails to be put in.

Mr. Decker: Stated no additional building permits issued after five or ten percent of the lots are nearing completion that the trails need to be put in.

Mr. Warger: Inquired what the staff would like in the timeline.

Mr. Jones: Inquired if the applicant was talking occupancy permits or building permits.

Mr. Warger: Stated he was basing it on occupancy permits being granted.

Mr. Jones: Stated the problem with using occupancy permits is people are going to move into the home with or without an occupancy permit, staff would prefer not to give out building permits it gives the Planning and Zoning Department a guarantee the trails will be completed.

Mr. Carlson: Stated five building permits could be issued on the first day the lots go on sale.

Mr. Warger: Stated after 10 building permits the trails need to be completed.

Mr. Decker: Agreed with the 10 building permits.

Mr. Jones: Remarked he could agree with Mr. Carlson if the sales go fast.

Mr. Decker: Stated he would not like to see the trails going in impeding the construction of the homes.

Mr. Jones: Suggested the trails would have to be put in before they record another plat.

Mr. Warger: Stated they are going two plats at the same time.

Ms. Griffen: Stated it could be years between platting different phases.

Mr. Warger: Stated they definitely want the trails to go in just needed more time to get them in.

Mr. Decker: Suggests the percentage of the trails that is in parallels the percentage of building permits. In phase one if there is 41 permits, and if 10 permits are sold that is 25 percent at 20 permits that is 50 percent then the trails need to be in place. The percentage of completion parallels the percentage of building permits issued.

Mr. Jones: Stated he was okay with that but would like to make it easier.

Mr. Decker: Inquired if the Board left it to the staff and the applicant to come to an agreement.

Mr. Jones: Suggests the trails will have to be completed before 75% of the building permits are issued for that plat that would give 30 building permits before the trails would have to be done. That condition will have to be amended for this staff report and the rest of the staff reports on the agenda tonight.

Mr. Decker: Asks Mr. Jones to repeat the proposed amended condition.

Mr. Jones: All improvements of the trails/landscaping requirements and tract improvements noted on the Final PUD Plan/Landscaping Plan are required to be completed before 75% of the building permits are issued for that proposed plat.

Mr. Warger: Stated that would work for them.

Mr. Jones: Stated a motion would be needed to amend that condition.

Mr. Decker: Entertains a motion to amend condition seven that the trails and landscaping will be 100% completed prior to 75% of the building permits are issued.

Mr. Higgins: Motions to approve the amendment on condition seven.

Mr. Rhodus: Seconds the motion.

Mr. Decker: Calls for a vote.

Mr. Jones: Chris Higgins?

Mr. Higgins: Approve.

Mr. Jones: David Rhodus.

Mr. Rhodus: Approve.

Mr. Jones: Marvin Davis?

Mr. Davis: Abstain.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve.

Mr. Jones: Jim Carlson?

Mr. Carlson: Disapprove.

Mr. Jones: Chairman Tom Decker?

Mr. Decker: Approve.

Final Vote: 4/1/1 Approve; Amend Condition Seven

Mr. Warger: Stated his concern on condition number 14(g) as far as Hills Lane would like to see a hammerhead rather than a cul-de-sac, they had discussed that with the Clay County Highway Department, it would be a different way of turning around, did not want a big area where people could go and dump their garbage.

Mr. Carlson: Inquired where that is on the property, if the turnaround will be at the end of the asphalt.

Mr. Warger: Stated it was past the asphalt instead of a cul-de-sac it will be what is called a hammerhead where the trucks can pull in and then back up.

Mr. Carlson: Inquired is Meridian Properties owned that property.

Mr. Warger: Stated they did and it will be on the Prairie Field Treatment Plant Plat, the County has right-a-way from then end of the asphalt all the way to the highway and they will have that on the cell tower also. It is a win-win Meridian Properties does not have to build that road and the County does not have to maintain that road, the road will be vacated that road they will own half of it and the County has someplace to turn around instead of in people's driveways. Not sure if that needs to be changed in the staff report or if will be an understanding that will be provided, they did not want to be held to putting in a cul-de-sac.

Mr. Jones: Stated staff's opinion that condition is vague enough that if Highway Department is okay with it the condition can stay the way it is, staff will rely on Highway that when everything is constructed to give the approval, so as long as Highway will approve it that way the condition can stay that way.

Ms. Griffen: Stated Highway is okay with it not being a circle cul-de-sac as long as there is adequate turn around provided.

Mr. Warger: Stated they had read all the other conditions and were in agreement with those.

Mr. Decker: Inquired on how each residence grinder pump will work.

Mr. Warger: Stated the way it will be set up will be just like Private Gardens, across the road, the tank is set in the back where the solids will settle out and pump the liquid or effluent off of that.

Mr. Decker: Inquired if it is a central forced main collector, ultimately ending up with 287 grinder pumps.

Mr. Warger: Explained it is a forced main system that will go all the way to the treatment facility and there will not be grinder pumps but pumps that are in the septic tanks, a little different than a typical grinder pump that would be seen and it will be collecting solids and pumping solids.

Mr. Decker: Stated from what the Board heard this case a several months ago Renaissance and Meridian Properties has made a lot of concessions to the public comment, the community, the Highway Department, Planning and Zoning and County Commission you have reduced your density, have added landscape buffers and been accommodating. Opens public comments.

Ms. Rube: States name and address; concerned about what the traffic is going to be like on Hills Lane when construction starts. She was told that the County Commission was going to have Prairie Field enter the sewage facility and the water tower from within their addition and now she was hearing that they are going to put a turn around, why are they putting in a turn around and what are they going to use that gate and road for.

Mr. Decker: Replied during construction of the treatment facility the ingress/egress will be through Prairie Field.

Ms. Griffen: Addressed the turn around, that is a request of the Highway Department made for plowing snow, right now we go down to the end of Hills Lane and the driver has to back into a driveway and it is very difficult to do that, and the access that Prairie Field will give us will put the turnaround further down and make it larger so the snow plow can turn round easier and not use someone's driveway.

Ms. Rube: Inquires about when the treatment plant complete, when it is serviced, is that done within Prairie Field or are they going to use Hills Lane?

Mr. Jones: Replied right now they access the water tower through Hills Lane that will be the same, the maintenance for the sewer facility will be Hills Lane and the Highway Department has added a condition that states they will review the usage on Hills Lane for each plat where they could require additional improvements be done to Hills Lane if needed. But his understanding there will be little additional traffic on Hills Lane, the construction will be handled through the Prairie Field Subdivision; the maintenance for the water tower and the sanitary sewer will be through Hills Lane.

Ms. Rube: Stated there has been an increase in traffic on Hills Lane.

Mr. Decker: Stated it will remain a dead end road and going to have a turnaround at the end for emergency vehicles, trash trucks and snow plows.

Ms. Rube: Inquired who is going to take care of the maintenance of the road and if was going to be surfaced.

Ms. Griffen: Stated the Highway Department did not have plans to anything to Hills Lane at this time.

Ms. Rube: Questioned if the Hills Lane will be part of the two year plan where the County takes over the roads in the subdivision after two years.

Ms. Griffen: Stated Hills Lane is not part of the Subdivision so it will not be part of the two year plan.

Mr. Habiger: Stated name and address; concerned about the stormwater run off from Prairie Field that will go into the culvert that runs onto his property and the intersection at NE 115th Terrace and Plattsburg Road. Coming from the north there is a dip in the road and two dips in the road to the south with a speed limit of 45 mph but the traffic drive over the speed limit so turning onto Plattsburg Rd from the Private Garden subdivision the driver has to be very cautious when pulling out. At NE 112th

St and A Highway they put in a flashing light that is triggered by traffic coming from the north and south to help cut back on accidents. I hope the County will address these issues concerning safety on the road.

Mr. Jones: Responded that the Planning and Zoning staff and the Highway staff have concerns about safety issues on Plattsburg Road but can only hold the developer responsible for the additional traffic. He cannot be responsible for the deferment of maintenance that should have happened years ago on Plattsburg Road. They did conduct a traffic impact study that will require them to put in a left turn lane if you are going south on Plattsburg Road and the study was reviewed by the County's on call engineer. They are addressing sight distance concerns with grading and there is a condition in the staff report that states that a field survey will be done after the grading is complete to verify that the sight distance coming in and out of the subdivision will meet. The staff at Planning and Zoning has recommended to the County Commission that they set aside the building permit fees and possibly a Community Improvement District, that will not be the Planning and Zoning Commission's job to do that but that may be a discussion at the County Commission meeting on the 28th to possibly set aside some money and get those improvements done but that will be a County Commission discussion. We do have concerns with traffic and stormwater and I would like all the residents to know that Prairie Field will be held to their erosion and sediment control plan, we have two full time inspectors to inspect that those things are followed.

Mr. Phillip Smith: Stated name and address; stated that instead of making exceptions for corner lots and setbacks instead suggests eliminate a lot or two and make the remaining lots bigger and not have to change setbacks. Stated the County needs to improve that intersection at NE 112th and Plattsburg somehow because adding more cars from the subdivision is not going to make the road better. Cannot see oncoming traffic on Plattsburg from NE 112th Street because of the brush in the fence row and the dip in the road to the north, school busses cannot make the turn onto NE 112th Street from Plattsburg Rd if there is a vehicle at the stop sign. Need to improve the infrastructure first before putting in large subdivisions.

Mr. Jones: Stated Planning and Zoning did ask our third party engineer to recommend improvements to the roads in that area and they gave us a time line of the next ten years and their recommendations were a turn lane should be put in at NE 112th and Plattsburg and Plattsburg Road should be widened from NE 112th to NE 120th and hopes this development will spur those improvements.

Mr. Gene Smith: Stated name and address; inquired about the side setbacks being reduced.

Mr. Jones: Stated that was for interior lots for the zoning R-SDM setbacks would be 10 feet for the single families they are requesting seven and a half feet, for the patio homes and duplexes six feet.

Mr. Gene Smith: Inquired then if the houses were going to be 12 feet apart.

Mr. Jones: Replied that they could be, it will be based on how the houses are laid out on the lot, this is the minimum they can be but they can be more.

Mr. Gene Smith: Concerned about the houses being so close together that it looks like you can touch each house when standing in between them.

Mr. Decker: Closes public comment, asks if the Board has any more questions.

Mr. Carlson: Inquired about the building material on houses that are seven feet apart.

Mr. Sanders: States name and address; Replied as the developer he has thought about building products what to see stone, stucco, comp roofs, vinyl or aluminum clad windows something that will last a long time, sides and rears at least on the patio homes will be using stucco, will have some restriction on vinyl may be soffit. Doesn't care for vinyl siding, but wants something that does not require a lot of maintenance. Address the space between the houses, stated they could be six feet to the property line so that would make 12 feet between the houses but with the width of the lots in the patio homes is 60 feet and the widest home plan is 44 feet that would leave 16 feet and if the widest houses next to each other.

Mr. Carlson: Inquired about noncombustible building material to use on houses that set close together.

Mr. Sanders: Responded anything closer than five feet has to be of noncombustible material.

Mr. Decker: No further discussion entertains a motion on the Final Plan Unit Development (PUD) Plan for Prairie Field with the conditions attached in Exhibit A.

Mr. Carlson: Motions to approve the Final PUD Plan.

Mr. Rhodus: Seconds the motion.
Mr. Decker: Calls for a vote.
Mr. Jones: Chris Higgins?
Mr. Higgins: Approve with conditions.
Mr. Jones: David Rhodus.
Mr. Rhodus: Approve with conditions.
Mr. Jones: Marvin Davis?
Mr. Davis: Abstain.
Mr. Jones: Terri Griffen?
Ms. Griffen: Approve with conditions.
Mr. Jones: Jim Carlson?
Mr. Carlson: Approve with conditions.
Mr. Jones: Chairman Tom Decker?
Mr. Decker: Approve with conditions.

**Final Vote: 5/0/1 Approve; December 18-134F; Prairie Field– Final PUD Plan
With twenty-three (23) Conditions**

Mr. Decker: Calls for a staff report for the second part of case number ten, December 18-134F, Prairie Field 1st Plat.
Mr. Jones: Attaches the staff report as part of the official record, summarizes December 18-134F dated December 21, 2018.
Mr. Decker: Pointed out that there is a condition in the Prairie Field 1st Plat that addresses Hills Lane being re-evaluated with each plat to determine if any upgrades are needed. Asks if there were any other comments from the Board, being none calls the applicant forward.
Mr. Warger: States name and address, restated that they had reviewed the conditions and only number 6 is the one that they would like to be amended.
Mr. Decker: Calls for a motion to amend condition number 6 to read as in the Final PUD staff report, stating that 100% of the trails and landscaping be completed at 75% issuance of the building permits for phase one, plat one.
Mr. Carlson: Motions to approve the amendment.
Mr. Rhodus: Seconds the motions.
Mr. Decker: Calls for a vote.
Mr. Jones: Chris Higgins?
Mr. Higgins: Approve.
Mr. Jones: David Rhodus.
Mr. Rhodus: Approve.
Mr. Jones: Marvin Davis?
Mr. Davis: Abstain.
Mr. Jones: Terri Griffen?
Ms. Griffen: Approve.
Mr. Jones: Jim Carlson?
Mr. Carlson: Approve.
Mr. Jones: Chairman Tom Decker?
Mr. Decker: Approve.

Final Vote: 5/0/1 Approve; Amend Condition Six

Mr. Decker: Asks if there is any further discussion from the Board, being none opens public comments.
Ms. Rube: States name and address. Restated her concern about the condition of Hills Lane.
Mr. Decker: Responded with that condition number 13(e) is in the staff report addresses her concerns for Hills Lane and it will be re-evaluated with each plat to determine if any upgrades are needed as the

homes are added. No other discussion entertains a motion for the final plat of Prairie Field 1st Plat with conditions attached in Exhibit A.

Mr. Carlson: Motion to approve Prairie Field 1st Plat.

Mr. Rhodus: Seconds the motion.

Mr. Decker: Calls for a vote.

Mr. Jones: Chris Higgins?

Mr. Higgins: Approve with conditions.

Mr. Jones: David Rhodus.

Mr. Rhodus: Approve with conditions.

Mr. Jones: Marvin Davis?

Mr. Davis: Abstain.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve with conditions.

Mr. Jones: Jim Carlson?

Mr. Carlson: Approve with conditions.

Mr. Jones: Chairman Tom Decker?

Mr. Decker: Approve with conditions.

**Final Vote: 5/0/1 Approve; December 18-134F; Prairie Field 1st Plat
With fourteen (14) Conditions**

Mr. Decker: Calls for a staff report on case number eleven, December 18-135F, a request for Final Plat approval of the Prairie Field Treatment Plat, a proposed subdivision located at approximately the northeast corner of Plattsburg Road and NE 112th Street, the applicant is Steve Warger, P.E. Renaissance Infrastructure Consulting, representing Meridian Properties, LLC, this case was continued from the December 4th, 2018 scheduled Planning & Zoning Commission meeting.

Mr. Jones: Attaches the staff report as part of the official record, summarizes December 18-135F dated December 31, 2018.

Mr. Decker: Asked if the Board had any questions or comments, being none calls the applicant forward.

Mr. Warger: States name and address, states they had read all the conditions and in agreement with the conditions.

Mr. Decker: Stated the hammer head turn around will be used at the end Hills Lane instead of the cul-de-sac as discussed earlier. Opens public comment, being none entertains a motion on the amendment of condition five to read that 100% of the trails/landscaping requirements are to be completed before 75% of the building permits are issued for the related Final Plat.

Mr. Higgins: Motion to approve the amendment.

Mr. Rhodus: Seconds the motion.

Mr. Decker: Calls for a vote.

Mr. Jones: Chris Higgins?

Mr. Higgins: Approve.

Mr. Jones: David Rhodus.

Mr. Rhodus: Approve.

Mr. Jones: Marvin Davis?

Mr. Davis: Abstain.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve.

Mr. Jones: Jim Carlson?

Mr. Carlson: Approve.

Mr. Jones: Chairman Tom Decker?

Mr. Decker: Approve.

Final Vote: 5/0/1 Approve; Amend Condition Five

Mr. Decker: Being no further discussion entertains a motion for Prairie Field Treatment Plant with the conditions attached in Exhibit A as amended.

Mr. Carlson: Motions to approve the Prairie Field Treatment Plant

Mr. Rhodus: Seconds the motion.

Mr. Decker: Calls for a vote.

Mr. Jones: Chris Higgins?

Mr. Higgins: Approve with conditions.

Mr. Jones: David Rhodus.

Mr. Rhodus: Approve with conditions.

Mr. Jones: Marvin Davis?

Mr. Davis: Abstain.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve with conditions.

Mr. Jones: Jim Carlson?

Mr. Carlson: Approve with conditions.

Mr. Jones: Chairman Tom Decker?

Mr. Decker: Approve with conditions.

**Final Vote: 5/0/1 Approve; December 18-135F; Prairie Field Treatment Plant
With thirteen (13) Conditions**

Mr. Decker: Calls for a staff report on case number twelve, December 18-136RZ/F, a request for rezoning from Agricultural (AG) District and Residential Services District Multi-Family (R-SDM) with a Planned Unit Development (PUD) overlay to Residential Ranchette (R-5) District and Final Plat approval of the Petty Farms Cell Tower, a proposed subdivision located at approximately the northeast corner of Plattsburg Road and NE 112th Street, the applicant is Steve Warger, P.E. Renaissance Infrastructure Consulting, representing Meridian Properties, LLC, this case was continued from the December 4th, 2018 scheduled Planning & Zoning Commission meeting.

Mr. Jones: Attaches the staff report as part of the official record, summarizes December 18-136RZ/F dated December 28, 2018.

Mr. Carlson: Inquired on who owned the cell tower.

Mr. Jones: Replied it is Meridian Properties.

Mr. Sanders: Stated Meridian Properties owns it but the previous owner sold the long term lease for 37 years.

Mr. Decker: Inquired if landscaping around the cell tower will become part of the PUD application.

Mr. Jones: Stated there will be a Conditional Use Permit application for the tower and the applicant did submit a landscape plan for the cell tower and that will be included in the CUP.

Mr. Decker: Being no other discussion from the Board calls the applicant up.

Mr. Warger: States name and address; stated they understood the conditions and in agreement.

Mr. Higgins: Inquired what the other buildings were on the cell tower site.

Mr. Warger: Stated that was a maintenance building for the tower.

Mr. Jones: Stated that would be the only thing that can be built on that lot if it is an accessory use to the cell tower or electrical shed.

Mr. Decker: Opens public comment, being none entertains a motion for the rezoning of the Petty Farms Cell Tower.

Mr. Carlson: Motions to approve the rezoning.

Mr. Rhodus: Seconds the motion.

Mr. Decker: Calls for a vote.

Mr. Jones: Chris Higgins?

Mr. Higgins: Approve.

Mr. Jones: David Rhodus.

Mr. Rhodus: Approve.

Mr. Jones: Marvin Davis?

Mr. Davis: Abstain.

Mr. Jones: Terri Griffen?
Ms. Griffen: Approve.
Mr. Jones: Jim Carlson?
Mr. Carlson: Approve.
Mr. Jones: Chairman Tom Decker?
Mr. Decker: Approve.

Final Vote: 5/0/1 Approve; December 18-136RZ/F; Petty Farms Cell Tower - Rezoning With zero (0) Conditions

Mr. Decker: Entertains a motion for the final plat of Petty Farms Cell Tower with the conditions attached in Exhibit A.
Ms. Griffen: Motion to approve the final plat of Petty Farms Cell Tower.
Mr. Carlson: Seconds the motion.
Mr. Decker: Calls for a vote.
Mr. Jones: Chris Higgins?
Mr. Higgins: Approve with conditions.
Mr. Jones: David Rhodus.
Mr. Rhodus: Approve with conditions.
Mr. Jones: Marvin Davis?
Mr. Davis: Abstain.
Mr. Jones: Terri Griffen?
Ms. Griffen: Approve with conditions.
Mr. Jones: Jim Carlson?
Mr. Carlson: Approve with conditions.
Mr. Jones: Chairman Tom Decker?
Mr. Decker: Approve with conditions.

Final Vote: 5/0/1 Approve; December 18-135RZ/F; Petty Farm Cell Tower – Final Plat With four (4) Conditions

Mr. Decker: Calls for a staff report on the thirteenth case, January 19-109F, a request for final plat approval of the proposed subdivision of Prairie Field 2nd Plat, located at approximately the northeast corner of Plattsburg Road and NE 112th Street, the applicant is Steve Warger, P.E. Renaissance Infrastructure Consulting, representing Meridian Properties, LLC.
Mr. Jones: Attaches the staff report as part of the official record, summarizes January 19-109F dated December 28, 2018.
Mr. Decker: Entertains a motion to amend condition six to read the trails/landscaping requirements be complete before 75% of the building permits are issued for the 2nd Plat.
Mr. Higgins: Motion to amend condition six.
Mr. Rhodus: Seconds the motion.
Mr. Decker: Calls for a vote.
Mr. Jones: Chris Higgins?
Mr. Higgins: Approve.
Mr. Jones: David Rhodus.
Mr. Rhodus: Approve.
Mr. Jones: Marvin Davis?
Mr. Davis: Abstain.
Mr. Jones: Terri Griffen?
Ms. Griffen: Approve.
Mr. Jones: Jim Carlson?
Mr. Carlson: Approve.
Mr. Jones: Chairman Tom Decker?

Mr. Decker: Approve.

Final Vote: 5/0/1 Approve; Amend Condition Six

Mr. Decker: Calls the applicant forward.

Mr. Warger: Stated they have read and understand the conditions and are in agreement.

Mr. Decker: Opens public comment, being none entertains a motion for the final plat of Prairie Field 2nd Plat with the conditions attached in Exhibit A.

Mr. Carlson: Motions to approve the final plat.

Mr. Rhodus: Seconds the motion.

Mr. Decker: Calls for a vote.

Mr. Jones: Chris Higgins?

Mr. Higgins: Approve with conditions.

Mr. Jones: David Rhodus.

Mr. Rhodus: Approve with conditions.

Mr. Jones: Marvin Davis?

Mr. Davis: Abstain.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve with conditions.

Mr. Jones: Jim Carlson?

Mr. Carlson: Approve with conditions.

Mr. Jones: Chairman Tom Decker?

Mr. Decker: Approve with conditions.

**Final Vote: 5/0/1 Approve; January 19-109F; Prairie Field 2nd Plat– Final Plat
With thirteen (13) Conditions**

Mr. Decker: Restated these cases will be heard by the County Commission on January 28th at 10 a.m. in the same room.

Mr. Jones: Updates the Commission on the cases from December's meeting and there will not be a February meeting.

Mr. Decker: Entertains a motion to adjourn the meeting.

Mr. Carlson: Motions to adjourn.

Mr. Higgins: Seconds the motion.

All: Aye.

Mr. Decker: Adjourns the meeting.

Meeting Adjourned

Chairman, Planning & Zoning Commission

Secretary, Planning & Zoning Commission

Recording Secretary