

CLAY COUNTY PLANNING AND ZONING COMMISSION MINUTES

April 3, 2018

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, Zachary Kramer, Chris Higgins and Terri Griffen

Members Absent:

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

Mr. Carlson: Calls the April 3, 2018 Planning and Zoning Commission meeting to order, request roll call.

Mr. Jones: Chris Higgins?

Mr. Sanders: Present.

Mr. Jones: David Rhodus?

Mr. Rhodus: Present.

Mr. Jones: Zachary Kramer?

Mr. Kramer: Present.

Mr. Jones: Terri Griffen?

Ms. Griffen: Present.

Mr. Jones: Tom Decker?

Mr. Decker: Present.

Mr. Jones: Chairman Jim Carlson?

Mr. Carlson: Present. Entertains a motion to approve the March 6, 2018 Planning and Zoning Commission minutes.

Mr. Decker: Motions to approve the minutes.

Mr. Rhodus: Seconds the motion.

Mr. Carlson: Calls for a vote.

Mr. Jones: Chris Higgins?

Mr. Higgins: Abstain.

Mr. Jones: David Rhodus?

Mr. Rhodus: Approve.

Mr. Jones: Zachary Kramer?

Mr. Kramer: Approve.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve.

Mr. Jones: Tom Decker?

Mr. Decker: Approve.

Mr. Jones: Chairman Jim Carlson?

Mr. Carlson: Approve.

Final Vote: 5/0/1 Approve March 6, 2018 Minutes

Mr. Carlson: Asks for staff report on first case, April 18-103RZ/P a request for rezoning from Agricultural (AG) District to Residential Ranchette (R-5) District with an Agricultural Land Preservation (ALP) Preservation Overlay District (POD) and preliminary plat approval for the proposed subdivision of Helton Farms located at approximately 6813 Highway 92, the applicants are Bob J. and Sharon M. Helton.

Mr. Jones: Attaches the staff report as part of the official record, summarizes April 18-103RZ/P dated March 19, 2018.

Mr. Carlson: Asks for any questions from the Commission, being none calls up the applicant, inquires if they understood the conditions on the staff report.

Ms. Helton: Answered they understood.

Mr. Carlson: Asks for any questions from Ms. Helton.

Ms. Helton: Had none.

Mr. Carlson: Asks for any public comments. Being none closed the discussion on Helton Farms and entertains a motion to approve or disapprove the rezoning request.

Mr. Decker: Motions to approve the rezoning from Agricultural District to Residential Ranchette (R-5) with an Agricultural Land Preservation in the Preservation Overlay District.

Mr. Carlson: Asks for a second.

Mr. Rhodus: 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: Zachary Kramer?

Mr. Kramer: Approve.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve.

Mr. Jones: Tom Decker?

Mr. Decker: Approve.

Mr. Jones: Chairman Jim Carlson?

Mr. Carlson: Approve.

**Final Vote: 6/0/0 Approve; April 18-103RZ/P; Helton Farms– Rezoning
With zero (0) Conditions**

Mr. Carlson: Entertains a motion to approve or disapprove the preliminary plat with conditions.

Mr. Decker: Motions to approve the preliminary plat of Helton Farms with conditions set forth in Exhibit A

Mr. Carlson: Asks for a second.

Mr. Rhodus: Seconds the motion.

Mr. Carlson: Calls for a vote.

Mr. Jones: Chris Higgins?

Mr. Higgins: Approve with conditions.

Mr. Jones: David Rhodus.

Mr. Rhodus: Approve with conditions.

Mr. Jones: Zachary Kramer?

Mr. Kramer: Approve with conditions.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve with conditions.

Mr. Jones: Tom Decker?

Mr. Decker: Approve with conditions.

Mr. Jones: Chairman Jim Carlson?

Mr. Carlson: Approve with conditions.

**Final Vote: 6/0/0 Approve; April 18-103RZ/P; Helton Farms–Preliminary Plat
With five (5) Conditions**

Mr. Carlson: Asks for the staff report on the second case April 18-104F a request for final plat approval for the proposed subdivision of Helton Farms located at approximately 6813 Highway 92, the applicants are Bob J. and Sharon M. Helton.

Mr. Jones: Attaches the staff report as part of the official record, summarizes April 18-104F dated March 21, 2018.

Mr. Carlson: Asked for questions from the Commission, the applicant and public comment, being none entertained a motion to approve or disapprove the final plat.

Mr. Decker: Motions to approve the final plat of Helton Farms, with conditions set forth in Exhibit A.

Mr. Carlson: Asks for a second on the motion.

Mr. Rhodus: Seconds the motion.

Mr. Carlson: Calls for a vote.

Mr. Jones: Chris Higgins?

Mr. Higgins: Approve with conditions.

Mr. Jones: David Rhodus.

Mr. Rhodus: Approve with conditions.

Mr. Jones: Zachary Kramer?

Mr. Kramer: Approve with conditions.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve with conditions.

Mr. Jones: Tom Decker?

Mr. Decker: Approve with conditions.

Mr. Jones: Chairman Jim Carlson?

Mr. Carlson: Approve with conditions.

**Final Vote: 6/0/0 Approve; April 18-104F; Helton Farms–Final Plat
With five (5) Conditions**

Mr. Carlson: Asks for the staff report on the third case April 18-105 RZ/F a request for rezoning from Residential Rural (R-1) District to Residential Ranchette (R-5) District for the proposed subdivision of Hendrickson Subdivision A Replat of the Replat of Lot 7, Homestead Ranches with an Agricultural Land Preservation (ALP) Preservation Overlay District (POD) for ONLY LOT 2 and final plat approval, located at approximately 17110 Salem Road, the applicants are Scott D. and Sandra K. Hendrickson and John L. and Lisa R. Bush.

Ms. Viviano: Attaches the staff report as part of the official record, summarizes April 18-105RZ/P dated March 21, 2018.

Mr. Higgins: Asked if the lot requiring the ALP currently has ALP on it.

Ms. Viviano: Stated there is not an ALP currently on it.

Mr. Carlson: Would like to see the current property line.

Ms. Viviano: Points out the old line on the map, which will be vacated if the next case is approved.

Mr. Carlson: Calls the applicant forward, asked if he had any questions of the staff report.

Mr. Hendrickson: Stated he did not.

Mr. Carlson: Asks if the Commission had any questions for the applicant, being none asks for public comments. Being none entertains a motion to approve or disapprove the rezoning.

Mr. Kramer: Motions to approve the rezoning for Hendrickson Subdivision A Replat of the Replat of Lot 7, Homestead Ranches.

Mr. Carlson: Asks for a second on the motion.

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

**Final Vote: 6/0/0 Approve; April 18-105RZ/F; Hendrickson Subdivision– Rezoning
With zero (0) Conditions**

Mr. Carlson: Entertains a motion for the approval or disapproval of the final plat.
Mr. Kramer: Motions to approve the final plat of Hendrickson Subdivision with the conditions in Exhibit A.
Mr. Carlson: Asks for a second.
Mr. Rhodus: Seconds the motion.
Mr. Carlson: Calls for a vote.
Mr. Jones: Chris Higgins?
Mr. Higgins: Approve with conditions.
Mr. Jones: David Rhodus.
Mr. Rhodus: Approve with conditions.
Mr. Jones: Zachary Kramer?
Mr. Kramer: Approve with conditions.
Mr. Jones: Terri Griffen?
Ms. Griffen: Approve with conditions.
Mr. Jones: Tom Decker?
Mr. Decker: Approve with conditions.
Mr. Jones: Chairman Jim Carlson?
Mr. Carlson: Approve with conditions.

**Final Vote: 6/0/0 Approve; April 18-105RZ/F; Hendrickson Subdivision– Final Plat
With three (3) Conditions**

Mr. Carlson: Asks for the staff report on the fourth case April 18-106V a request to vacate utility easements within Tracts A and B Replat of Lot 7 Homestead Ranches, these easements are located at approximately 17110 Salem Road the applicants are Scott D. and Sandra K. Hendrickson and John L. and Lisa R. Bush.
Ms. Viviano: Attaches the staff report as part of the official record, summarizes April 18-106V dated March 27, 2018.
Mr. Carlson: Asks if the applicant has any question on the staff report.
Mr. Hendrickson: Has no questions.
Mr. Carlson: Opens floor for public comments, being none entertains a motion for an approval or disapproval.
Mr. Decker: Motion to approve the vacation of the easement with the condition set forth in Exhibit A.
Mr. Carlson: Asks for a second on the motion.
Mr. Kramer: Seconds the motion.
Mr. Carlson: Calls for a vote.
Mr. Jones: Chris Higgins?
Mr. Higgins: Approve with condition.
Mr. Jones: David Rhodus.
Mr. Rhodus: Approve with condition.
Mr. Jones: Zachary Kramer?

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

**Final Vote: 6/0/0 Approve; April 18-106V; Hendrickson Subdivision– Vacation
With one (1) Condition**

Mr. Carlson: Asks for staff report on fifth case April 18-107RZ a request for rezoning from Agricultural (AG) District to Residential Services District Multi-Family (R-SDM) with a Planned Unit Development (PUD) overlay approval of Prairie Field 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.

Mr. Jones: Attaches the staff report as part of the official record, summarizes April 18-107RZ dated March 21, 2018.

Mr. Carlson: Stated this is a very preliminary step in a procedure of development on a large piece of ground.

Mr. Jones: Agreed and stressed the Board should decide on this if proposed plan makes sense for this part of the County with density, with types of structures, with effects on neighbors, things that are listed in the PUD for this phase of the project.

Mr. Kramer: Inquired about when the County reached out to the City of Liberty with this proposal.

Mr. Jones: Responded with the correspondence began before the application was received after the initial meeting with the developer.

Mr. Kramer: Suggested to use tonight for discussion and feedback from the community before making a decision.

Mr. Carlson: Agreed, would like to hear from the applicant and the public. Asks for questions from the Commission, being none asks the applicant's representative to come forward.

Mr. Warger: Did not have any questions of the staff report. Summarizes what they are proposing, single family on the north side, with some constraints, the power line through the north part of the property, cell tower on the south end, the water tower and the water main transmission line in the upper two-thirds of the property. Natural drainage ways that they will take advantage of, the street and traffic study that is in progress looking at Plattsburg Road at the northern entrance. Looking the sight distance with the County Public Works Department, may do somethings to enhance the sight triangles at that location and set the entrance back and flatten that out and dedicate the 50 foot right away from the center line and if improvements are done on Plattsburg there is flexibility there.

Mr. Kramer: Inquired about the setback at the entrance.

Mr. Warger: Shows a 50 foot landscape buffer on the plans, request have been made for a 75 foot buffer along the west, north and east side of the property, so it will be 125 feet from the center line in that location. Talks about the streets in the proposal, normal city standard, curb and gutter and enclosed storm sewer system and talks about water retention and the requirements. States that they will be putting in a treatment facility for the individual package treatment plant with grinder pumps for house to that location or combination of grinder pumps and gravity at this time is the plan and meeting the current codes of MDNR.

Mr. Carlson: Verifies the treatment plant will be at the northeast corner backing up to the highway.

Mr. Warger: Confirms that is correct not too far from the access drive to the water tower.

Mr. Carlson: Asks for a general lay of the land.

Mr. Warger: Explains the drainage and the ridge and where the treatment facility will be located and using grinder pumps for the sewer system and if expansion from Liberty happens they will work with them.

- Mr. Kramer:** Asks if they could design their system they put in based on what Liberty would accept in the future.
- Mr. Warger:** Responded that would be the intent if the elevation worked for that.
- Mr. Kramer:** Asked if they had built neighborhoods of this size with package plants.
- Mr. Warger:** Replied yes, and will verify with MDNR and County engineer consultant.
- Mr. Carlson:** Asked if they had any communication with the City of Kansas City regarding their sewer plant.
- Mr. Warger:** Said they had not talked to the City of Kansas City.
- Mr. Kramer:** Inquired about the nearest water and sewer for Liberty.
- Mr. Warger:** Was not sure where it was at, it may be Liberty North High School.
- Mr. Carlson:** Wanted to know other services to the property like gas.
- Mr. Warger:** Thought there was.
- Mr. Jones:** Stated a lot of the developments in unincorporated Clay County did not have gas service they used propane.
- Mr. Kramer:** Wanted to know how much run off that has to be off set now.
- Mr. Warger:** Stated they had not done an in-depth calculation as of yet, but will.
- Mr. Kramer:** Said he was not sure how the Commission was to know if they could approve that many lots if they were not sure how much space is needed to retain water.
- Mr. Warger:** Pointed to the big area on the property that they can detain enough for what drains there, if not they will sacrifice a lot in some area if needed, they cannot do more lots but they can do less lots under the PUD.
- Mr. Jones:** Stated that the County Commission could approve it at a lower density but not more.
- Mr. Carlson:** Asked that there will be an approved study before we make our decision.
- Mr. Jones:** Replied there will be a storm water study.
- Mr. Decker:** Asked about the traffic study, wants to know what the applicants predict of the outcome of that study and improvements that could be made.
- Mr. Warger:** Stated they will be widening 112th Street, didn't think a traffic light will be needed at 112th and Plattsburg Road. The location across from Private Gardens entrance and the main entrance into Prairie Field they will have a 50 to 100 foot left hand turn lane, do some widening on Plattsburg Road at that location to allow for the left hand turn lane.
- Mr. Decker:** Confirmed the left turn lane going north into Private Gardens and the applicant is proposing a south bound left turn lane going into Prairie Field.
- Mr. Warger:** Didn't think there would be a right turn lane at this point.
- Mr. Carlson:** Asked about other improvements to Plattsburg Road.
- Mr. Warger:** They were not anticipated any at this point. Not to the road itself but the developer will be cutting back some of the hills to open up the sight distance.
- Mr. Carlson:** Asked about a road study being done now.
- Mr. Warger:** Confirmed that he was hoping it would have been done before the meeting.
- Mr. Carlson:** Stated he hoped the study included Plattsburg Road that is inside the city limits of Liberty.
- Mr. Warger:** Said the study is done on peak hour and evaluates that. Stated there will be street lights, sidewalks and stream studies have been done. Talks about lot layout, south part has the patio homes and the townhomes because of the cell tower and the highway close to there and change the price point, talks about the price points for the homes.
- Mr. Kramer:** Inquired if the fourplex had parking garages.
- Mr. Warger:** Confirmed they would have garages.
- Mr. Higgins:** Inquired if they would be multi-level.
- Mr. Warger:** Stated they have not got to that, may be some multi-level. Talked about what the PUD helps with planning lots size on the patio homes how they are smaller than normal, same with town homes. Stated they will have a pool, trails, landscape buffer, open space 30%, will have covenants and restrictions.
- Mr. Kramer:** Asked about outbuildings in the subdivision.
- Mr. Warger:** Stated they still have to decide if they can have storage sheds.
- Mr. Decker:** Asked if the developer approached the City of Liberty for annexation.

Mr. Warger: Said they did not, the Planning and Zoning Office contacted them. They have a higher density but not as high as a PUD will allow.

Mr. Sanders: Stated the PUD process was new to them, working on a patio home project in Platte County and wanted to use the same plan in this area, for retirement and have seen a need for these types of homes, have looked at other areas and a need for single family homes in this area. We see the cell tower as a negative and the interstate in that corner, building a lower price point in that area. Liberty is going to do a development on the Hallmark land adjacent to this property, in this area of Clay County for the PUD and the townhomes this is the best place. There is gas on the property, no issues with power or water, the sewer authority will apply to the Missouri Public Service Commission and they would become the sewer district and if the City of Liberty annexed here they would not annex the sewers, the sewer district will be created and they will tie on at this treatment facility.

Mr. Kramer: Asked if they can select their provider.

Mr. Sanders: Stated they will be working on a provider, looking into a couple different ones.

Mr. Kramer: Inquired that they were not required to use certain providers.

Mr. Sanders: Stated no, but there is a limited number of providers. Reiterated the home prices \$350,000 will be the low end, patio homes that they are currently building in Platte County are \$325,000 to \$450,000 and townhomes will be more than \$250,000 possibility they will not be in a stacked format but may be a cloverleaf pattern with two car attached garages. The demographic they are attracting will more than likely want single level townhomes. Describes how the houses will be built and the style and square footing and lot size and type of maintenance they will provide for the patio and townhomes.

Mr. Carlson: Opens up floor for public comments.

Ms. Porter: States her concerns about the application, the multi-family units, doesn't think it fits in this area of Clay County; high density subdivisions are mainly inside city limits, around this area is farm land, has concerns about the water, sewer and the traffic; would like Plattsburg Road widened for the entire length of the proposed subdivision. Believes the City of Liberty should have the option to annex this land. Would like to know what the benefit to the County would be by developing this subdivision as a PUD verses a traditional zoning. Thinks the lots should be larger, closer to one acre.

Mr. Habiger: Submits Exhibit A; some concerns him and neighbor, Mr. Amick, property owners across the street from the proposed subdivision, would like to see nice landscaping, no wood fences, and would like larger lots along Plattsburg Road of the proposed subdivision, needs turn lanes into the proposed subdivision, and improved sight distance on Plattsburg Road on the north side of this property.

Ms. Jones: Had submitted an e-mail that is included in the staff report, her concern is how the development is going to affect her water pressure at her property which is at a higher elevation than the proposed subdivision.

Ms. Rube: Also shares the concern of the water pressure and would like to see new water lines to their property, does not want to be annexed into the City of Liberty because of the slow service of the fire/EMS, wants to know where the access to the sewer treatment facility will be located if off of Hills Lane then the County should pave the street. Has been to the Tiffany Villas concern about the water run off there and does not want to see that in this development. Another concern is the traffic and would like Plattsburg Road expanded to four lanes from the interstate to the proposed subdivision.

Ms. Powell: Expected a development to happen in that area but does not want patio homes or townhomes, concerned about what that would do to the values of the homes surrounding the proposed subdivision. Also shared concerns about the traffic at 112th Street and Plattsburg especially during school hours. If this is going to be done the County, the City and the School District need to look at the traffic flow to Liberty North High School. Not opposed to development just want to have all the safety issues taken into consideration.

Mr. Wilson: Concerned about the sewer company being use for the proposed subdivision that is vetted and can handle this size of a subdivision. Would like a study on how many accidents have been at A Highway and 112th Street, numerous accidents a result of the high traffic and low visibility, feels the same will be happening on Plattsburg.

Mr. Holland: Concerned about the traffic around the development and would like to see bigger lots on the outside lots of the proposed subdivision. Submits Exhibit B.

- Mr. Jones:** Tells the audience members if the case is continued to next month's meeting they can send their comments in writing to the Planning and Zoning office.
- Mr. Sanders:** Addresses the concerns; first issue about the fences along the road, there will be no wooden fences along Plattsburg Road; second issue water pressure because of how the water tower works based on height of where your home is located those living up on the hill about as high as the water tower will have lower water pressure, the ones that are lower than the tower will not have an issue with the water tower, the size of the water line will not make any difference it will need a booster pump to improve the pressure; third issue heard is that this does not conform to the Comprehensive Plan, and people moving to the country to have space, the only way to keep it country is to own the property around you, the property of the proposed subdivision is right next to the City of Liberty and the Comprehensive Plan addresses that they want to see more dense housing, they don't want the one acre lots, three acre or five acre lots they want it to be similar to what is in the adjoining community.
- Mr. Ewert:** Talks about the water pressure in Private Gardens, not bad until summertime; thinks if this is approved a higher capacity water tower will be needed. Does not think townhomes are a good fit for this area, that they will lower the property value. Addresses the back up at the stop light on Plattsburg Road at 69 Highway and how it will increase with the addition of the proposed subdivision, would like something to be done at that intersection.
- Mr. Jones:** Points out how close the city limits of Liberty is to the proposed Prairie Fields subdivision.
- Mr. Carlson:** States the development is right across the from the street from the City of Liberty.
- Mr. Fitzpatrick:** Talks about his concerns with the traffic not only on Plattsburg but also on 112th Street to Highway A, would like a traffic study to include all of that area, and 120th Street. 120th Street has two one lane bridges on it and traffic has increased on that street since the High School has opened.
- Mr. Smith:** Would like to see the outside lots be one acre to half acre in size and the interior lots can be smaller, and he agrees with the concerns the other neighbors have stated traffic, water run-off and water pressure. Not opposed to development but would like larger lots, less homes.
- Mr. Carlson:** Closes the public comments and proposes to continue the discussion on this case to next month's meeting.
- Mr. Jones:** Asks for advice from legal counsel.
- Mr. Roffman:** Suggested they can take it under advisement for action at the next meeting.
- Mr. Jones:** Asks if a motion is needed.
- Mr. Roffman:** Just say they are going to take it under advisement and take action at the next meeting on May 1st.
- Mr. Decker:** Would like to see a reply from Liberty that they approve or disapprove this subdivision before the next meeting.
- Mr. Higgins:** Add the traffic study as well.
- Mr. Decker:** Referenced the Land Use Development the first item that Kipp touched on was to strongly encourage new Urban Development in the Urban Services Tier to annex into adjoining city before development.
- Mr. Jones:** States that is in the Comprehensive Plan to encouraging them to do that but we cannot require that, but the Comprehensive Plan goes on to say having the development in the unincorporated sections as close to the cities as possible or in the Urban Services Tier.
- Mr. Decker:** Stated that it was just pointed out that the south edge of the proposed Prairie Field abuts the north edge of Liberty city limits.
- Mr. Jones:** Would like a comment from the City of Liberty, stated staff will reach out to them again, references the Comprehensive Plan addressing the City's needs.
- Mr. Decker:** Stated it would be nice to see the traffic study.
- Mr. Carlson:** States that the Commission will continue the discussion on the proposed subdivision of Prairie Field to the next Planning and Zoning Commission meeting on May 1st and they will keep the record open for more written comments and public comments at the next meeting.
- Mr. Jones:** States that the staff will do an update either with a memo to the Planning and Zoning Commissioners or possibly a new staff report and if the citizens would like to submit written comments we will take those and include those in the memo or staff report, the staff needs those by April 19th to get them in the May 1st meeting. Updates the Commission on the previous month's cases.
- Mr. Carlson:** Entertains a motion to adjourn the meeting.

Mr. Decker: Moves to adjourn.

Mr. Carlson: Adjourns the meeting.

Meeting Adjourned

Chairman, Planning & Zoning Commission

Secretary, Planning & Zoning Commission

Recording Secretary