

CLAY COUNTY PLANNING AND ZONING COMMISSION MINUTES

August 6, 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: Chris Higgins, David Rhodus, Brad Scarlett and Terri Griffen

Members Absent: Tom Decker and Marvin Davis

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

Mr. Higgins: Calls the August 6, 2019 Planning and Zoning Commission meeting to order, request roll call.

Mr. Jones: Terri Griffen?

Ms. Griffen: Present.

Mr. Jones: David Rhodus?

Mr. Rhodus: Present.

Mr. Jones: Marvin Davis?

Mr. Davis: Absent.

Mr. Jones: Brad Scarlett?

Mr. Scarlett: Present.

Mr. Jones: Chris Higgins?

Mr. Higgins: Present.

Mr. Jones: Chairman Tom Decker?

Mr. Decker: Absent.

Mr. Higgins: Calls for a motion for the approval of July 2, 2019 Planning and Zoning Commission minutes.

Ms. Griffen: Motions to approve the minutes.

Mr. Rhodus: Seconds the motion.

Mr. Higgins: Calls for a roll call vote.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve.

Mr. Jones: David Rhodus?

Mr. Rhodus: Approve.

Mr. Jones: Brad Scarlett?

Mr. Scarlett: Approve.

Mr. Jones: Vice- Chair Chris Higgins?

Mr. Higgins: Approve.

Final Vote: 4/0/0 Approve July 2, 2019 Minutes

Mr. Higgins: Stated there was a request to table the first three cases on the agenda, requested a motion from the Commission.

Mr. Scarlett: Motioned to table the cases on Lincoln's Farm- Third Plat.

Mr. Rhodus: Second the motion.

Mr. Higgins: Called for a roll call vote.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve.
Mr. Jones: David Rhodus?
Mr. Rhodus: Approve.
Mr. Jones: Brad Scarlett?
Mr. Scarlett: Approve.
Mr. Jones: Chris Higgins?
Mr. Higgins: Approve.

Final Vote: 4/0/0 Approve; Lincoln’s Farm-Second Plat– Table

Mr. Higgins: Asks for a staff report on case August 19-125CUP, a request for a Conditional Use Permit for a public training and riding stable on Agriculturally (AG) District and Residential Rural (R-1) District zoned property at 16900 Old BB Highway, the applicant is Patricia Crawford.
Mr. Jones: Attaches the staff report as part of the official record, summarizes August 19-125CUP dated July 22, 2019.
Mr. Higgins: Asks for questions from the Commission, being none calls forward the applicant. Inquired if she understood the staff report and agreed to the conditions in Exhibit A.
Ms. Crawford: Stated she understood and agreed with the conditions.
Mr. Higgins: Being no questions from the Commission opens public comments, being none closes public comments and entertains a motion for the Conditional Use Permit.
Ms. Griffen: Motions to approve.
Mr. Rhodus: Seconds the motion.
Mr. Higgins: Calls for a vote.
Mr. Jones: Terri Griffen?
Ms. Griffen: Approve with conditions.
Mr. Jones: David Rhodus?
Mr. Rhodus: Approve with conditions.
Mr. Jones: Brad Scarlett?
Mr. Scarlett: Approve with conditions.
Mr. Jones: Vice-Chair Chris Higgins?
Mr. Higgins: Approve with conditions.

**Final Vote: 4/0/0 Approve; August 19-125CUP; Public Training and Riding Stable – Conditional Use Permit
With seven (7) Conditions**

Mr. Higgins: Asks for a staff report on case August 19-126RZ/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 Onie’s Place, the property is located at approximately 1012 NE 84th Street, the applicant is Karen Thomas.
Mr. Jones: Attaches the staff report as part of the official record, summarizes August 19-126RZ/P dated July 22, 2019.
Mr. Higgins: Inquired if the Commission had any questions for the staff.
Mr. Scarlett: Inquired where the driveways would be located for the new lots.
Mr. Jones: Stated at this point the Highway Department just checks for sight distance, the actual driveways will be determined when permits for single family residence for each new lot are issued.
Mr. Higgins: Being no further questions from the Commission calls forward the applicant. Asks the applicant if she understood the staff report and agreed with the conditions in Exhibit A.
Ms. Thomas: Stated she understood and agreed to the conditions.
Mr. Higgins: Being no further questions to the applicant opens public comments.
Mr. Rendon: Stated his concerns of the amount of traffic and the condition of the roads at the intersection.

Mr. Downing: Stated his concerns about the increased traffic and the danger of the intersection of Nebo Hills and 84th Street, the condition of Nebo Hills Road and the water runoff crossing the road. Would like to see the infrastructure upgraded before more lots are added to the area. Also stated his concern of the condition of the property being divided.

Ms. Rendon: Also stated her concerns about the danger of the intersection and the amount of traffic on Nebo Hills Road and the condition of Nebo Hills Road.

Mr. Higgins: Inquired from Ms. Griffen if the Highway Department had any comments about the concerns.

Ms. Griffen: Stated they would look at the intersection.

Mr. Jones: Explained Road Impact Fees, how they are collected when new lots are developed and how they are applied to help fix the roads in the area of the new development.

Mr. Downing: Stated he understood the County could not control the number of trucks on the roads and cannot control where the money is spent but there has been substantial growth in the area and the roads have not been upgraded, he stated the Land Development Code talked about stormwater management and he felt that is not being addressed in this area.

Mr. Jones: Addressed how the Planning and Zoning office controls stormwater runoff during the construction on properties but if the runoff is in the Right of Way that will be controlled by the Highway Department.

Mr. Rendon: Stated his concerns of water runoff in this area.

Mr. Jones: Stated since this piece of land will now be platted a portion will be dedicated Right of Way to the County so now they have the option of being able to fix the water runoff.

Mr. Higgins: Closes public comments, entertains a motion for the rezoning of Onie's Place.

Mr. Rhodus: Motions to approve the rezoning.

Ms. Griffen: Seconds the motion.

Mr. Higgins: Calls for a vote.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve.

Mr. Jones: David Rhodus?

Mr. Rhodus: Approve.

Mr. Jones: Brad Scarlett?

Mr. Scarlett: Approve.

Mr. Jones: Vice-Chair Chris Higgins?

Mr. Higgins: Approve.

**Final Vote: 4/0/0 Approve; August 19-126RZ/P; Onie's Place– Rezoning
With zero (0) Conditions**

Mr. Higgins: Asks for a motion on the preliminary plat of Onie's Place with conditions.

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

Mr. Scarlett: Seconds the motion.

Mr. Higgins: Calls for a vote.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve with conditions.

Mr. Jones: David Rhodus?

Mr. Rhodus: Approve with conditions.

Mr. Jones: Brad Scarlett?

Mr. Scarlett: Approve with conditions.

Mr. Jones: Vice-Chair Chris Higgins?

Mr. Higgins: Approve with conditions.

**Final Vote: 4/0/0 Approve; August 19-126RZ/P; Onie's Place– Preliminary Plat
With two (2) Conditions**

Mr. Higgins: Asks for a staff report on case August 19-127F, a request for final plat approval for the proposed subdivision of Onie's Place, the property is located at approximately 18012 NE 84th Street, the applicant is Karen Thomas.

Mr. Jones: Attaches the staff report as part of the official record, summarizes August 19-127F dated July 24, 2019.

Mr. Higgins: Asked if the Commission had any questions, being none called the applicant forward, asked the applicant if she understood the staff report and agreed to the conditions in Exhibit A.

Ms. Thomas: Stated she understood and agreed to the conditions.

Mr. Higgins: Being no questions for the applicant opens public comment, being none entertains a motion for the final plat of Onie's Place.

Mr. Rhodus: Motions to approve with conditions.

Ms. Griffen: Seconds the motion.

Mr. Higgins: Calls for a vote.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve with conditions.

Mr. Jones: David Rhodus?

Mr. Rhodus: Approve with conditions.

Mr. Jones: Brad Scarlett?

Mr. Scarlett: Approve with conditions.

Mr. Jones: Chris Higgins?

Mr. Higgins: Approve with conditions.

**Final Vote: 4/0/0 Approve; August 19-127F; Onie's Place– Final Plat
With two (2) Conditions**

Mr. Higgins: Asks for a staff report on case August 19-128RZ/F a request for rezoning from Residential Rural (R-1) District to Residential Urban Rural Single-Family (RU-80) District with an Agricultural Land Preservation (ALP) Preservation Overlay District (POD) for the proposed subdivision of Green Briar Estates – Second Plat and final plat approval, located at approximately 5220 Century Drive, the applicants are Jeremy and Faith Kellner, and Mark Wamboldt.

Ms. Brady: Attaches the staff report as part of the official record, summarizes August 19-128RZ/F dated July 25, 2019.

Mr. Higgins: Asked if the Commission had any questions, being none calls the applicant forward. Inquired if the applicant understood the staff report and agreed to the condition in Exhibit A.

Mr. Kellner: Stated he understood and agreed to the condition.

Mr. Higgins: Opens public comments, being none entertains a motion for the rezoning.

Mr. Rhodus: Motions to approve the rezoning of Green Briar Estates – Second Plat with conditions in Exhibit A.

Ms. Griffen: Seconds the motion.

Mr. Higgins: Calls for a vote.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve.

Mr. Jones: David Rhodus?

Mr. Rhodus: Approve.

Mr. Jones: Brad Scarlett?

Mr. Scarlett: Approve.

Mr. Jones: Vice-Chair Chris Higgins?

Mr. Higgins: Approve.

**Final Vote: 4/0/0 Approve; August 19-128RZ/F; Green Briar Estates – Second Plat–
Rezoning
With zero (0) Conditions**

Mr. Higgins: Entertains a motion for the final plat with conditions.

Mr. Rhodus: Motions to approve the final plat of Green Briar Estates – Second Plat with conditions in Exhibit A.

Mr. Scarlett: Seconds the motion.

Mr. Higgins: Calls for a vote.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve with conditions.

Mr. Jones: David Rhodus?

Mr. Rhodus: Approve with conditions.

Mr. Jones: Brad Scarlett?

Mr. Scarlett: Approve with conditions.

Mr. Jones: Vice-Chair Chris Higgins?

Mr. Higgins: Approve with conditions.

**Final Vote: 4/0/0 Approve; August 19-128RZ/F; Green Briar Estates – Second Plat–
Final Plat
With one (1) Condition**

Mr. Higgins: Asks for a staff report on case August 19-129F, a request for final plat approval for the proposed subdivision of Dotson Acres located at 12300 Summersette Road, the applicants are David and Doreen Rhodus and Michael and Jennifer Dotson.

Ms. Brady: Attaches the staff report as part of the official record, summarizes August 19-129F dated July 24, 2019.

Mr. Higgins: Asked if the Commission had any questions, being none calls the applicant forward. Inquires if the applicant understood the staff report and agreed to the condition in Exhibit A.

Mr. Dotson: Replied he understood and agreed to the condition.

Mr. Higgins: Opens public comments, being none entertains a motion for the final plat of Dotson Acres.

Mr. Scarlett: Motions to approve the final plat with conditions attached in Exhibit A.

Ms. Griffen: Seconds the motion.

Mr. Higgins: Calls for a vote.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve with condition.

Mr. Jones: David Rhodus?

Mr. Rhodus: Abstain.

Mr. Jones: Brad Scarlett?

Mr. Scarlett: Approve with condition.

Mr. Jones: Vice-Chair Chris Higgins?

Mr. Higgins: Approve with condition.

**Final Vote: 3/0/1 Approve; August 19-129F; Dotson Acres– Final Plat
With one (1) Condition**

Mr. Higgins: Asks for a staff report on case May 19-118A a public hearing for approval of revision to the 2011 Clay County Land Development Code (LDC), and ordinance encompassing the zoning and subdivision of land in unincorporated Clay County, the applicant is Clay County.

Mr. Jones: Attaches the staff report as part of the official record, summarizes May 19-118A dated May 28, 2019.

Mr. Higgins: Asked if there were any questions from the Commission, being none opens to public comments, being none entertains a motion for the revision of the Land Development Code.

Mr. Scarlett: Motions to approve.

Mr. Rhodus: Seconds the motion.

Mr. Higgins: Calls for a vote.

Mr. Jones: Terri Griffen?

Ms. Griffen: Approve.

Mr. Jones: David Rhodus?
Mr. Rhodus: Approve.
Mr. Jones: Brad Scarlett?
Mr. Scarlett: Approve.
Mr. Jones: Vice-Chair Chris Higgins?
Mr. Higgins: Approve.

**Final Vote: 4/0/0; May 19-118A; Revisions to 2011 Land Development Code
With zero (0) Conditions**

Mr. Higgins: Inquired if there was any additional business.
Mr. Jones: Stated there will be a meeting in September.
Mr. Higgins: Entertains a motion to adjourn the meeting.
Mr. Rhodus: Motions to adjourn.
Mr. Higgins: All in favor.
All: Aye.
Mr. Higgins: Adjourns the meeting.

Meeting Adjourned

Chairman, Planning & Zoning Commission

Secretary, Planning & Zoning Commission

Recording Secretary