



City of Grain Valley
Planning & Zoning Commission
Meeting Minutes
Regular Meeting

6/8/2022
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ITEM I: CALL TO ORDER

- The Planning & Zoning Commission of the City of Grain Valley, Missouri, met in Regular Session on June 8,2022 in the Council Chambers at City Hall.
The meeting was called to order at 6:30 PM by Chairman Craig Shelton.

ITEM II: ROLL CALL

- Present: Jim Hofstetter
Present: Justin Tyson
Present: Craig Shelton
Present: Debbie Saffell
Absent: Elijah Greene
Absent: Kevin Browning
Absent: Scott Shafer
Absent: Rick Knox (BOA Liaison)
There was a quorum.

ITEM III: PLEDGE OF ALLEGIANCE

ITEM IV: APPROVAL OF MINUTES

- Commissioner Tyson motioned to approve the minutes from the April 13,2022 regular meeting. Commissioner Hofstetter second the motion. The Commission approved the minutes by a vote of 4 to 0.

ITEM V: PUBLIC HEARINGS

- The Lofts at Creekside Landing- Blue Springs Safety Storage South II LLC is requesting a change of zoning on approximately 7.53 acres from District R-3 PUD (Multi-Family Residential District-Planned Unit Development) to District R-3p (Multi-Family Residential District-Planned Overlay District). The proposed development will consist of four (4) apartment buildings containing twenty-four units in each building; three (3) four-plex buildings and one duplex. The total number of units on the property is 110. The

Commissioners Present

Craig Shelton
Debbie Saffell
Justin Tyson
Jim Hofstetter

Commissioners Absent

Kevin Browning
Scott Shafer
Elijah Greene
Rick Knox BOA Liaison

Staff Officials Present

Mark Trosen – CD Director
Dick Tuttle – City Engineer
Rich Wood – City Attorney



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development site is located at the dead end of NW Sni-A-Bar Blvd. east of NW Sni-A-Bar Parkway being part of the southwest quarter of Section 34, Township 49, Range 30, Jackson County, Missouri.

- Director Trosen presented the Staff Report. In addition, Trosen presented a chart that illustrated owner-occupied housing unit rate for Grain Valley at 67.5%, compared to the State of Missouri, Jackson County, and surrounding communities. This information was from the U.S. Census Bureau. Also, the Finance Director provided as of June 2022 using utility billing records, the owner-occupied rate is 70.4% and the rental rate is 29.6%. After the preliminary development plan and plat is revised to reflect the comments in item 6 (need to show the type of six-foot privacy wall or fence and ornamental screening along the north and west property lines) and item 8 (four revisions needed to plat) in the staff report, Staff would then recommend approval.
- Commissioner Hofstetter asked generally where this development was in relation to the school district bus barn.
- Commissioner Hofstetter asked why we are comparing ourselves to other communities regarding owner occupied. Director Trosen responded that there have been comments that the city has too much multi-family residential development. He said it is hard to pick a perfect number that is right for your community, so you look at other cities and determine what are their owner-occupied and rental rates to determine if there is a good balance.
- Commissioner Tyson asked is the only access to development from Sni-A-Bar Blvd.? City Engineer Tuttle said yes.
- Frances Royer asked about the fencing and screening around the development. He said that he still owns the property to the east which is a cemetery, and he is concerned that people will cut-through. He sold the property to the developer. He would like to see a barrier, or the privacy fence continued along the east property line. There was discussion regarding the burial sites and future development of the cemetery.
- Bryan Rahn stated that he is the representative for Blue Springs Safety Storage South II LLC. He said that they are still working on the name of the development since there are so many Lofts and Creekside developments. He said regarding the property to the west where the clubhouse, pool, and other amenities, he would ask that the Commission not require the fence along the north property line from Lot 44 of the duplexes and along the west property line. He said because of the terrain and existing vegetation, it does not make sense

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to have a fence in this area. Rahn stated that he does not have a problem with installing a fence along the east property line and screening from the cemetery. There was discussion regarding the type of fence.

- Chair Shelton discussed the overall development and the location of the structures and was there consideration to flip the development and put the development amenities adjacent to the cemetery and the four-plexes on the west side of property. There was discussion regarding the creek and the barrier it creates with constructing driveways. Rahn said that regarding the stand alone duplex, the architectural style matches the clubhouse, and the duplex is adjacent to existing duplex development along Sni-A-Bar Parkway.
- Commissioner Tyson asked Rahn if they are in favor of installing a fence and landscape screening along the east property line as requested by Mr., Royer. Rahn said they would install a privacy fence according to city ordinance.
- Commissioner Tyson asked if the buildings would be like the Lofts at Old Towne Market Place. Rahn said similar but instead of a flat roof these buildings will have gable roofs.
- Commissioner Saffell made a motion to close the public hearing. Commissioner Tyson second the motion. The Commission voted 4 to 0 to approve the motion.

2. **City Code Chapter 400 Zoning Regulation Amendment** – A Resolution (2022-03) recommending to the Board of Aldermen that Title IV (Land Use) of the Code of Ordinances be amended in Section 400.230 (Accessory Uses) pertaining garages and accessory buildings by prohibiting a wheeled trailer, portable trailer, or roll-off trash container as an accessory building and in Section 400. 290 (Off-Street Parking and Loading Regulations) to not allow the parking of automobiles, trucks, boats, trailers, recreational vehicles, or any other motorized vehicles in the rear yard on an unimproved surface unless enclosed by a 6-foot privacy fence.

- Director Trosen presented the Staff Report. He said that Staff is asking the Commission to approve Resolution 2022-03 which recommends to the Board of Aldermen changes to Chapter 400 pertaining to accessory buildings and off-street parking regulations. Trosen presented photographs that illustrated examples of the proposed amendments to the regulations.
- Commissioner Tyson asked that if they have a six-foot privacy fence then they can still park their cars in the backyards on the grass. Director Trosen said yes. Commissioner

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Tyson said that this needs to go one step further. He said that if we have all ranch style homes then this is not an issue. However, if we have two-story homes, like many of us do, you will see the cars parked in the grass if you are able to look over the fence from a deck or through a second story window. He also said this might be an environmental issue of car leaking in grass. He asked can we change it? Trosen said that you can change the resolution and make whatever recommendation to the Board of Aldermen.

- Commissioner Hofstetter asked if any of this would be grandfathered in. Trosen said that the existing roll-off containers would be grandfathered but since the vehicles can be driven, once they leave and come back, they can be issued a letter of warning under the new regulations. Hofstetter said that he has problem with changing the rules and now the property owner must comply with the new rules.
• City Attorney Wood said these are two different things. The roll-offs would be grandfathered since they are more permanent structures, but the vehicles come and go. City Attorney Wood said that one property owner can sue one property owner if vehicles are creating a nuisance.
• Commissioner Hofstetter is overly concerned that we are opening a "can of worms" if start telling property owners that they cannot park in their yards.
• Commissioner Saffell said that several people use these containers for swimming pools. Saffell asked if we should amend that section to prohibit these types of structures as pools. Trosen said to his knowledge this has not been a problem.
• Commissioner Tyson made a motion to close the public hearing. Commissioner Saffell second the motion. The Commission voted 4 to 0 to approve the motion.

ITEM VI: ACTION ITEMS

- 1. The Lofts at Creekside Landing- Blue Springs Safety Storage South II LLC is requesting a change of zoning on approximately 7.53 acres from District R-3 PUD (Multi-Family Residential District-Planned Unit Development) to District R-3p (Multi-Family Residential District-Planned Overlay District). The proposed development will consist of four (4) apartment buildings containing twenty-four units in each building; three (3) four-plex buildings and one duplex. The total number of units on the property is 110. The

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development site is located at the dead end of NW Sni-A-Bar Blvd. east of NW Sni-A-Bar Parkway being part of the southwest quarter of Section 34, Township 49, Range 30, Jackson County, Missouri.

- Commissioner Tyson made a motion to approve the Lofts of Creekside Landing with the Staff Recommendations and with the condition to continue the same privacy fence along the east property line adjacent to the Royer property. Commissioner Hofstetter second the motion. Commissioner members Tyson, Hofstetter and Saffell voted yes, and Shelton voted no. The motion passed by a vote of 3 to 1.
2. **City Code Chapter 400 Zoning Regulation Amendment** – A Resolution (2022-03) recommending to the Board of Aldermen that Title IV (Land Use) of the Code of Ordinances be amended in Section 400.230 (Accessory Uses) pertaining garages and accessory buildings by prohibiting a wheeled trailer, portable trailer, or roll-off trash container as an accessory building and in Section 400. 290 (Off-Street Parking and Loading Regulations) to not allow the parking of automobiles, trucks, boats, trailers, recreational vehicles, or any other motorized vehicles in the rear yard on an unimproved surface unless enclosed by a 6-foot privacy fence.
- There were motions made with no seconds. The Commission decided to separate the two sections.
 - Regarding Section 1 in Resolution 2022-03, Commissioner Tyson made a motion to approve. Commissioner Saffell second the motion. The Commission approved the motion by a vote of 4 to 0.
 - Regarding Section 2, in Resolution 2022-03, Commissioner Tyson made a motion to amend item f. as written by City Attorney, to add after front, the word “rear”, delete the period after property and delete the sentence “The rear of the property must be enclosed by a 6-foot privacy fence to allow parking on unimproved surfaces.” Commissioner Saffell second the motion. Commissioners Tyson, Saffell and Shelton voted yes, and Hofstetter voted no. The Commission passed the motion by a vote of 3 to 1.
3. **FY2023-2027 Capital Improvement Plan** – Capital improvements planning is the multi-year scheduling of large-scale capital improvements and major purchases. The CIP is a public information document to advise residents and property owners of how the city plans

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to address significant capital needs over the next five years. The CIP is a flexible, planning tool and not a financial, static, budget.

- City Engineer Tuttle presented the FY2023-2027 Capital Improvement Plan and highlighted certain projects.
 - Commissioner Hofstetter made a motion to recommend that the Board of Aldermen approve the Capital Improvement Plan. Commissioner Tyson second the motion. The Commission approved the motion by a vote of 4 to 0.
4. **Planning and Zoning Commission Rules** – The Commission will consider approving Resolution 2022-04 adopting rules for the transaction of business.
- City Attorney Wood reviewed Resolution 2022-04 and each exhibit as it related to either state law or Board of Aldermen rules. He said state laws allows the Commission to adopt rules to conduct business. He reviewed the proposed attendance policy. He said this is a Resolution that the Commission adopts and does not need to go to the Board for review.
 - Commissioner Tyson said since we have a bare bone number Commissioners present tonight, he would like to wait and talk about this at a later meeting.
 - Chair Shelton said that the Commission had talked in the past about the Rosenberg’s rules and decided not to adopt them but use them only as a policy.
 - Commissioner Hofstetter made a motion to postpone discussion on these rules until the next meeting. Commissioner Tyson second the motion. The Commission approved the motion by a vote of 4 to 0.

ITEM VII: PREVIOUS BUSINESS

- None

ITEM VIII: NEW BUSINESS

- None

ITEM IX: ADJOURNMENT

- Commissioner Hofstetter made a motion to adjourn the meeting. Commissioner Saffell second the motion. The Commission approved the motion by a vote of 4 to 0.

-The Regular Meeting Adjourned at 8:15 PM-

Commissioners Present

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Commissioners Absent

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