



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

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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 November 18, 2020 in the City Hall Council Chambers.
- The meeting was called to order at 6:35 PM by Chair Debbie Saffell.

ITEM II: ROLL CALL

- *Present: Paul Loving*
- *Present: Kevin Browning (left meeting at 8:37PM)*
- *Present: Craig Shelton*
- *Present: Debbie Saffell*
- *Present: Scott Shafer (arrived at 6:45PM)*
- *Present: Justin Tyson*
- *Present: Bob Headley (BOA Liaison)*
- *Absent: Elijah Greene*
- ***There was a quorum.***

ITEM III: PLEDGE OF ALLEGIANCE

- To avoid the spread of COVID and ensure social distancing, the pledge was skipped over.

*Chair Saffell announced that to ensure the safest practices in social distancing, the Commission will take action on an item after the public hearing. This will allow those to leave sooner and not have to wait until later in the meeting to find out the vote on their item.

ITEM IV: APPROVAL OF MINUTES

- Commissioner Browning motioned to approve the minutes from the September 9, 2020 regular meeting. Commissioner Shelton second the motion. The Commission approved the minutes by vote 5-0.

ITEM V: CITIZEN PARTICIPATION: None

Commissioners Present

Craig Shelton
Paul Loving
Debbie Saffell
Scott Shafer
Justin Tyson
Kevin Browning
Bob Headley (BOA Liaison)

Commissioners Absent

Elijah Greene

Staff Officials Present

Mark Trosen – CD Director



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ITEM VI: PUBLIC HEARING

1. **Missouri Made Marijuana, LLC.** Requesting a Conditional Use Permit for a Medical Marijuana Infused Products Manufacturing Facility on approximately 6 acres. The property is zoned District M-1 (Light Industrial). This CUP request is in addition to the previously approved CUP for a Medical Marijuana Cultivation Facility. The 6 acres is generally located at the east end of South Outer Belt Road on the south side of Interstate 70 lying in the northwest corner of the northeast quarter of Section 35, Township 49, Range 30 in the City of Grain Valley, Missouri. The legal description is Lot 1, Black Industries, a subdivision in Grain Valley aka 415 E. South Outer Belt Road.

- The public hearing was opened by Chair Saffell.
- Director Trosen presented the staff report. Staff recommends approval of the CUP for a Medical Marijuana Infused Products Manufacturing Facility with the four conditions listed in the staff report.
- Commissioner Tyson asked what is the difference between the cultivation and manufacturing?
- Steven Lucas, Attorney for MMM, LLC, stated that cultivation is growing the plant and the manufacturing is taking the cannabis and making it into a product that is typically sold to a dispensary who then sells to the public.
- Mr. Lucas stated that both processes will be conducted within building one.
- Chair Saffell asked how many employees?
- Mr. Lucas responded in phase one there will be 15 employees. With all three buildings, the maximum number of employees will be 45.
- Mr. Lucas stated that staff has been very helpful and supportive in moving this project forwarding.
- Thomas Nolte with Nolte Architect and Planning in Overland Park, KS is the project architect. Mr. Nolte wanted to thank Mr. Mike Russell and Mr. Dick Tuttle with the City's staff for their help and guidance on this project. In addition, the Central Jackson County Fire Protection District has been helpful.
- Commissioner Shelton made a motion to close the public hearing. The motion was seconded by Commissioner Browning. The motion was approved by a vote of 6 to 0.

Commissioners Present

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Action Item #1 - Commissioner Tyson motioned to recommend approval of the CUP request with the four conditions in the Staff report. Commissioner Shelton second the motion. The Commission voted 6 to 0 to recommend approval to the Board of Aldermen.

2. **CountryClub Homes, LLC.** Requesting the vacation of the 60-foot right-of-way for Jefferson Street and the 10-foot utility easements on the north and south side of the street right-of-way as shown on the plat of “East Kansas City Industrial Park – 3rd Plat”, a subdivision in Grain Valley. The proposed vacation area is generally west of Eagle Ridge Blvd. and NW East Kansas City Industrial Blvd. lying in the southwest quarter of Section 27, Township 49, Range 30.

- Chair Saffell opened the public hearing.
- Director Trosen presented the staff report. Staff recommends that the vacation request be approved.
- Director Trosen presented the final plat for East Kansas City Industrial Park – 14th plat. The final plat includes the proposed areas (ROW and utility easements) to be vacated into one lot, lot 4 containing 1.15 acres.
- Bryan Rahn with CountyClub Homes stated that surrounding area has been developed and that this is the final piece.
- Commissioner Shelton stated that we were going to put a road in there and now we are not and that this creates one lot.
- Commissioner Shelton made a motion to close the public hearing. The motion was seconded by Commissioner Tyson. The Commission voted 6 to 0 to close the public hearing.

Action Item # 2 – Commissioner Shelton made a motion to recommend approval on the request to vacate the 60-foot right-of-way and utility easements for CountryClub Homes. Commissioner Tyson second the motion. The Commission voted 6 to 0 to recommend approval to the Board of Aldermen.

Action Item #3 – Commissioner Shelton made a motion to approve the final plat for East Kansas City Industrial Park – 14th plat. Commissioner Tyson second the motion. The Commission voted 6 to 0 to recommend approval to the Board of Aldermen.

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3. **Blue Springs Safety Storage South LLC.** Requesting an amendment to the City's Comprehensive Plan Future Land Use Map pertaining to a 57.4 acre tract of land that is generally east of NW Pamela Blvd, south of NW Woodbury Drive, west of NW Valley Ridge Drive and north of NW Jefferson Street. The Future Land Use Map shows this tract as Business Park (Industrial). The map amendment requests that the north 16.6 acres of this tract be designated as single-family, the 8.4 acres in the middle of this tract be shown as multi-family and the south 32.4 acres remain Business Park (Industrial). This tract is part of the west half of the southeast quarter of Section 27, Township 49, Range 30 aka 31904 E. Jefferson Street.
4. **Blue Springs Safety Storage South LLC.** Requesting a change of zoning from District M-1 (Light Industrial) to District R-1 (Single Family) on 16.57 acres and from District M-1 (Light Industrial) to District R-2 (Duplex Residential) on 8.44 acres on the tract of land that is generally east of NW Pamela Blvd, South of NW Woodbury Drive and west of NW Valley Ridge Drive. This tract is part of the west half of the southeast quarter of Section 27, Township 49, Range 30 aka 31904 E. Jefferson Street aka 31904 E. Jefferson Street.
- Chair Saffell opened the public hearings for items 3 and 4 above.
 - Director Trosen presented the staff report on the request to amend the City's Comprehensive Plan Future Land Use Map. Staff recommends approval.
 - Director Trosen presented the staff report for the request to change the zoning from District M-1 (Light Industrial) to District R-1 (Single Family) and from District M-1 to District R-2 (Duplex Residential) and is further described under item 4 above. Staff recommends approval.
 - Director Trosen presented the staff report for the preliminary plat of East Kansas City Industrial Park. Staff recommends approval.
 - Chair Saffell announced that although she is not one of the immediate property owners impacted by this development, she does reside in Woodbury and is on the Board of the Woodbury Homeowners Association. Saffell stepped down as Chair and will be abstaining when votes occur. Vice Chair Shelton assumed the Chair responsibilities.
 - Toby Williams with Powell CWM Engineering stated that he is the project engineer for the applicant and prepared all the exhibits. He stated that he worked with staff. Originally

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there was a street proposed from Woodbury to Jefferson but we wanted to segregate residential areas from industrial area and then only the proposed residential areas will have access to Woodbury Drive and the industrial area will have access from Jefferson Street. Mr. Williams talked about the infrastructure and discussed how storm water will be managed.

- Jerry Miller stated that he resides at 911 NW Cedar Lane in Woodbury Estates and is also a member of the HOA Board. He said that he is concerned with the increase in traffic on Woodbury and that Jefferson Street is a narrow road and questions if Jefferson can handle the increase in traffic. He stated that Woodbury and Duncan intersection needs to be improved and stated that Duncan and Buckner Tarsney Road intersection is unsafe. He stated that this development is good for Grain Valley, but it will be putting a lot of traffic onto adjacent streets. He said that a traffic study was conducted, and a four-way stop was added to Woodbury and Pecan.
- Bryan Rahn stated that he is representing Blue Springs Safety Storage South LLC. Mr. Rahn talked about the development and the proposed streets and traffic movement.
- Alderman Headley asked given the increase in traffic on Woodbury from these proposed areas, can another study be done? Director Trosen responded that a trip generation and distribution report was prepared by Powell CWM Engineering and reviewed by City Engineer Dick Tuttle. The report concluded that a four-way stop will be added at the intersection of Whitney and Woodbury.
- Vice Chair Shelton stated that the Commission has talked about in the past the concerns with traffic at Woodbury and Buckner Tarsney Road which is a MoDOT road. We often find that MoDOT is often reactive after development has occurred instead of proactive before potential development.
- Commissioner Tyson talked about the intersection of Duncan and Buckner Tarsney Road and the signalization and asked if MoDOT had plans to improve that intersection? Director Trosen responded no. Commissioner Tyson asked if the city is responsible for Jefferson Street. Director Trosen responded that that Jefferson Street is still owned by MoDOT. He said there has been discussion about the City taking over the maintenance but there is no signed document in place at this time.
- Joshua Espinosa stated that he resides at 1105 NW Aspen Court and that his property backs up to the proposed area and within the 185-foot notification. He said that he was told that

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nothing would be built on this property. He was wondering if there was a way to keep the tree line that is his back yard. He said that no trees are on his property.

- Mr. Rahn stated the homes will be facing to the south and so the backyards will be adjacent to Mr. Espinosa's property. He is not sure where exactly the trees are regarding property lines but said that the rezoning to the single family is an improvement to how it is currently zoned which is Light Industrial. He further stated that they try to preserve mature trees along property lines if possible.
- Mr. Espinosa stated that the stormwater that drains off the property to the south and that they recently extended a drainage pipe behind his property.
- Mr. Williams explained the preliminary design for handling stormwater from the new development.
- Vice Chair Shelton asked that for clarification on a barrier? Mr. Williams responded that a privacy fence will be constructed between the duplex lots and the industrial lots.
- Mr. Espinosa showed photos from his phone regarding the drainage behind his property.
- Dan Garlan stated that he currently lives in Blue Springs but has a contract on the house at 1109 NW Aspen Court and was planning to move in on November 30th. Mr. Garlan said that no one has discussed that this property is like a valley. He walked the property today and said that there are areas that are washing out. He said that at the end of Hilltop, when you look down it is a cliff, and no one has discussed how that will be engineered to extend the street. He said that he has a stepson that lives behind the lake in Woodbury 6th plat. He said that he will be Mr. Espinosa's neighbor unless he backs out. Mr. Garlan said that a buffer should be placed between the proposed houses and Woodbury because there will be a lot of water that will drain from the south to north behind the Woodbury houses.
- Commissioner Loving asked questions about traffic and based on the proposed number of lots for single family and duplexes will put stress on Woodbury, Duncan and Buckner Tarsney and asked if the study only included current development or did it also include this proposed development? Director Trosen stated that the trip generation and distribution report took into consideration the proposed development.
- Mr. Williams discussed trip generation and the peak hours when a residence will generate the most traffic. This study will then determine what traffic mitigation measures need to take place as a part of the development. The results from the study concluded that a four-way stop sign will be needed at Whitney and Woodbury.
- Commissioner Loving asked what is the schedule to develop this area?

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- Mr. Williams responded that it will be developed in phases. The residential are will done in two phases and these will be sequential starting on the north and heading south. The industrial area will also be in two phases. The overall development will take four to five years. He said it will take some time.
- Commissioner Loving asked if this area was in a floodplain? Director Trosen responded no.
- Vice Chair Shelton asked regarding the future land use map by changing it to the classifications requested, will it be consistent with the designation classifications to the west and how it has developed? Director Trosen reviewed the future land use map and showed that the adjacent property to the west is designated single family, multi-family and light industrial just like it has been developed including the street extensions.
- Vice Chair Shelton asked would a buffer area hinder the alignment to extend the streets? Mr. Williams responded yes. Mr. Williams also stated that he does not think from a development standpoint that the tree line will be disturbed.
- Commissioner Shafer asked what assurance would these property owners have if your construction plans do not work? Mr. Williams said that if it is built according to design then it will work. There will be inspections and if the drainage does not work then additional pipes are installed.
- Commissioner Browning asked Mr. Espinosa where his property line is? Mr. Espinosa said that his property line is north of the tree line. He said that his backyard has flooded since the additional drainage pipe was added.
- Commissioner Safer asked if Commission decides to table these items, how does it impact the developer's schedule? Mr. Rahn said that the improvements have been scheduled based on the approval schedule. He said that the first area that will be addressed is the area adjacent to Mr. Espinosa and therefore the drainage will be addressed. Mr. Rahn says if this is tabled then it pushes Mr. Espinosa's problems back.
- There was discussion regarding the approval process on the Comprehensive Plan Map Amendment, rezoning request, and preliminary plat.
- Mr. Miller asked if the engineer considers the surrounding development improvements into the design for this area? Mr. Williams responded yes and provided an explanation.
- Commissioner Shafer made a motion to close the public hearings for the Comprehensive Plan Map Amendment and the Rezoning requests. Commissioner Browning second the motion. The Commission voted 5 to 0 with Commissioner Saffell abstaining.

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Action Item #4 – Commissioner Loving made a motion to recommend approval on the request to amend the Comprehensive Plan Future Land Use Map as submitted. Commissioner Browning second the motion. The Commission voted 5 to 0 to recommend approval to the Board of Aldermen. Commissioner Saffell abstained.

Action Item #5 – Commissioner Browning made a motion to recommend approval on the request for rezoning as submitted. Commissioner Tyson second the motion. The Commission voted 5 to 0 to recommend approval to the Board of Aldermen. Commissioner Saffell abstained.

Action Item #6 – Commissioner Tyson made a motion to approve the preliminary plat for East Kansas City Industrial Park. Commissioner Browning second the motion. The Commission voted 4 to 1, with Vice Chair Shelton voting no, to approve the preliminary plat. Commissioner Saffell abstained.

ITEM VII: ADDITIONAL ACTION ITEMS

7. Final Plat -Eagle Ridge Estates – 4th Plat – Requesting approval of final plat on 3.35 acres that illustrates 12 lots for single family residential and Tract A for stormwater detention.

- Director Trosen reviewed the staff report. Staff recommends approval.
- Toby Williams with Powell CVM Engineering and project engineer spoke on the plat and explained the need for a tract to handle stormwater versus an easement.
- Commissioner Tyson made a motion to approve the final plat. Commissioner Shafer second the motion. The Commission voted 6 to 0 to recommend approval on the final plat for Eagle Ridge Estates 4th Plat to the Board of Aldermen.

8. Site Plan Review – Heartland Dental – Lot 1 in Mercado Plaza. Located at SW Corner of Woodbury Drive and Buckner Tarsney Road.

- Director Trosen reviewed the staff report. Staff recommends approval.
- John Davis with Foresight Real Estate Services stated he was representing the applicant.
- Vice Chair Shelton asked if there are any plans for the center of the development area. Director Trosen responded not at this time. Director Trosen talked about the Burger King and the change in plat to accommodate MoDOT's request for additional right-of-way.

Commissioners Present

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- Commissioner Tyson asked if an irrigation system is planned. Mr. Davis stated yes.
- Vice Chair Shelton asked if there is a need for more dentists. Mr. Davis responded that this is a national group and they have done extensive research to determine that there is a need for more dental services in Grain Valley.
- Commissioner Tyson made a motion to approve the site plan for Heartland Dental. Commissioner Loving second the motion. The Commission voted 5 to 0 to approve the site plan for Heartland Dental.

ITEM VIII: PREVIOUS BUSINESS

- None

ITEM IX: NEW BUSINESS

- None

There will be no meeting in December and depending upon the status of the Jackson County COVID Order, the January 2021 meeting may be a virtual zoom meeting.

ITEM X: ADJOURNMENT

- Commissioner Loving motioned to adjourn the meeting. Commissioner Saffell second the motion. The Commission approved the motion by a vote of 5 to 0.

-The Regular Meeting Adjourned at 8:48 PM-

Commissioners Present

Craig Shelton
Paul Loving
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Scott Shafer
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Commissioners Absent

Elijah Greene

Staff Officials Present

Mark Trosen – CD Director