



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

5/13/2020
Page 1 of 6

ITEM I: CALL TO ORDER

- The Planning & Zoning Commission of the City of Grain Valley, Missouri, met in Regular Session on May 13, 2020 via video conference of the Commissioners because of the social distancing order due to the COVID-19 pandemic.
- The meeting was called to order at 6:35 PM by Chair Debbie Saffell.

ITEM II: ROLL CALL

- *Present: Justin Tyson*
- *Present: Paul Loving*
- *Present: Elijah Greene*
- *Present: Craig Shelton*
- *Present: Debbie Saffell*
- *Present: Scott Shafer*
- *Present: Bob Headley (BOA Liaison)*
- *Absent: Kevin Browning*
- *There was a quorum*

ITEM III: PLEDGE OF ALLEGIANCE

ITEM IV: APPROVAL OF MINUTES

- Commissioner Shelton motioned to approve the minutes from the March 11, 2020 regular meeting; the motion was seconded by Commissioner Tyson. The Commission approved the minutes by vote 6-0.

ITEM V: CITIZEN PARTICIPATION

- None

ITEM VI: PUBLIC HEARINGS

1. **Chapter 400 Amendments** – A Resolution recommending to the Board of Aldermen that Title IV (Land Use) of the Code of Ordinances be amended in Section 400.040 (Definitions); Section 400.220 (Additional Controls) and Section 400.230 (Accessory Uses) pertaining to fence requirements.
- Chair Saffell opened the public hearing on the Chapter 400 amendments.

Commissioners Present
Craig Shelton
Elijah Greene
Paul Loving
Justin Tyson
Debbie Saffell
Scott Shafer

Commissioners Absent
Kevin Browning

Staff Officials Present
Mark Trosen – CD Director
Dick Tuttle, PE – City Engineer



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

5/13/2020
Page 2 of 6

- Director Trosen reviewed the proposed amendments to Chapter 400 and stated that these changes are primarily being requested to address the setback for fences on corner lots. Staff recommends approval of the amendments.
- Commissioner Greene pointed out on page 1 in paragraph 2 stated that the word “site” should be “sight” like the revision that was made in the title. Director Trosen thanked him for that correction.
- Commissioner Greene asked on page 2 where it talks about pools, saunas and Jacuzzis why are you recommending that the height of the fence be reduced from 6 feet to 48 inches. Director Trosen responded that for several years now the city has been enforcing the 48 inches. The 48-inch requirement is found in the International Residential Code which has been adopted by the City. This amendment is intended to be consistent with the IRC.
- Commissioner Greene stated that in Section C.9 where the allowable fence materials are listed, there is redundancy in the materials. He states that vinyl is plastic and all items for stone, brick and so forth are masonry.
- For the ease of reading, Chair Saffell stated that it may be helpful to state masonry and all the items included under that category.
- Commissioner Tyson suggested that it be in a bullet format instead of a paragraph format and that it be by category. For example, list plastic and then after that include composite or vinyl. Commissioner Greene thought that would be a good idea to do sub-categories.
- Commissioner Tyson asked if there was any discussion about going away from the galvanized chain link fence and require the black or green coated chain link. Director Trosen said no. Chain link is allowed only on side and rear yards and not the front yard.
- Commissioner Tyson brought up the point that rear yards are adjacent to Sni-A-Bar and that we need to think about the appearance of chain link along a major roadway.
- Chair Saffell stated that if we did not specify a color for the coated chain link, we may have a rainbow of colors and that the galvanized appears to blend in more.
- Commissioner Tyson asked what about existing fences and maintenance on fences that are not in compliance. Director Trosen responded that these fences would be grandfathered even if they were doing maintenance such as replacing broken panels or pickets. However, if they are wanting to remove the fence and posts and put in a new fence then they would need to comply with the new requirements.
- Chair Saffell asked if members of the public would like to speak on the proposed changes to Chapter 400 regarding fences. There was no one requesting to speak.

Commissioners Present

Craig Shelton
Elijah Greene
Paul Loving
Justin Tyson
Debbie Saffell
Scott Shafer

Commissioners Absent

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

5/13/2020
Page 3 of 6

- Commissioner Shelton motioned to close the public hearing. Commissioner Tyson second the motion. The Commission approved motion by a vote of 6 to 0. The public hearing was closed.

ITEM VII: ACTION ITEMS

1. **Chapter 400 Amendments** – A Resolution recommending to the Board of Aldermen that Title IV (Land Use) of the Code of Ordinances be amended in Section 400.040 (Definitions); Section 400.220 (Additional Controls) and Section 400.230 (Accessory Uses) pertaining to fence requirements.

- Commissioner Shelton stated regarding changes to the amendments we talked about bolding out the type of materials and chain link. Director Trosen stated that the other correction was the changing the word “site” to “sight” on page 1.
- Commissioner Shelton motioned to approve the Chapter 400 amendments with the two edits: bold out the type of fence materials and revise the word sight. Commissioner Greene second the motion. Chair Saffell asked if there is any discussion on motion.
- Commissioner Tyson asked if we could settle in the middle and require only the black coated chain link fence.
- Commissioner Shelton stated that aesthetics is important but not certain about the cost and hate to restrict a citizen.
- Commissioner Tyson stated that he used to install fences and although the cost is more, there is not a substantial difference between the galvanized and black coated chain link fence.
- Commissioner Tyson said that several cities do not allow chain link fences and that we would not be out of line to require the chain link to be coated. He has several neighbors that have installed the coated chain link fence.
- Commissioner Shelton withdrew his motion. Commissioner Greene withdrew his second.
- Commissioner Shafer asked the Commission their thoughts on eliminating chain link fence.
- Aldermen Headley stated that if you were in the country and wanted to fence your yard. If you were not allowed to install a chain link, then it may be cost prohibitive to install a wood or vinyl fence.

Commissioners Present

Craig Shelton
Elijah Greene
Paul Loving
Justin Tyson
Debbie Saffell
Scott Shafer

Commissioners Absent

Kevin Browning

Staff Officials Present

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

5/13/2020
Page 4 of 6

- Commissioner Tyson stated that if we really want to get into the weeds then we would prohibit chain link on Sni-A-Bar Blvd. but further commented that he did not think we should get into the weeds.
 - Chair Saffell suggested that we make the changes as presented now and then look at subdivision covenants to see what restrictions are out there and then decide about chain link at a later time.
 - Commissioner Shelton motioned to approve the Chapter 400 amendments with the two edits: bold out the type of fence materials to make it easier to understand and revise the word sight on page 1. Commissioner Shafer second the motion. The Commission approved motion by a vote of 6 to 0.
- 2. Final Plat – Black Industries -** One lot; Approximately 6.5 acres; Site for Medical Marijuana Cultivation Facility; 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.
- Director Trosen presented the Staff Report. Staff recommends approval.
 - Commissioner Tyson motioned to approve the Final Plat for Black Industries. Commissioner Shafer second the motion. The Commission approved motion by a vote of 6 to 0.
- 3. Final Development Plan/Final Plat – The Lofts at Old Towne Market Place –** The development is generally located at Garden Street and near SW Eagles Parkway. The development will consist of 154 rental units and a mixed-use indoor amenity center in four buildings.
- Director Trosen presented the Staff Report. Staff recommends approval.
 - Commissioner Shafer asked that with the addition of all these apartments can city water and sewer handle them.
 - City Engineer Tuttle responded yes and said that he also looked at traffic and the apartments will be less than the previous grocery store.
 - Commissioner Shafer asked if the buildings would have a sprinkler system. City Engineer Tuttle responded yes.

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

5/13/2020
Page 5 of 6

- Commissioner Tyson motioned to approve the final development plan for the Lofts at Old Towne Market Place and the final plat for Old Towne Market Place 12th Plat. Commissioner Shafer second the motion. The Commission approved the motion by a vote of 6 to 0.

- 4. **Site Plan – Burger King** – The drive-thru restaurant will be located on the northwest corner of Buckner Tarsney Road and NW Jefferson Street on lot 2 of the Mercado Plaza subdivision lying in the west half of the southwest quarter of Section 26, Township 49, Range 30 in the City of Grain Valley, Missouri.
 - Director Trosen presented the Staff Report. Staff recommends approval and request that Burger King has the flexibility to move the building improvements to the north on the overall site depending upon if an adjustment is necessary for Lot 2 dimensions on the Mercado Plaza Plat.
 - Commissioner Shelton talked about the private road. Director Trosen responded that the private drive would initially be constructed for lot 2 but then extended as the other part of the site is developed to Woodbury.
 - Commissioner Shelton asked about the improvements on Buckner Tarsney and Jefferson Street. City Engineer Tuttle talked about the need for additional ROW and how the improvements will be made as additional traffic is added to development.
 - Commissioner Loving asked who pays for the street improvements. City Engineer Tuttle responded that the developer would need to pay for improvements.
 - Commissioner Shafer asked who is responsible for the private road and maintenance. City Engineer Tuttle stated the developer.
 - Commissioner Greene asked when we originally approved Mercado Plaza was lot 2 intended for a drive-thru restaurant. Director Trosen responded yes.
 - Commissioner Greene raised concerns with the parking lot and the inability to exit if you do not want to go through drive-in. Several Commissioners discussed this item and provide comments regarding the parking lot layout and entrances and exits.
 - John Schebaum, Civil Engineer for the project, addressed the comments of the Commissioners regarding the parking lot and the ingress/egress points. Schebaum stated that this layout is typical for Burger King restaurants.
 - Commissioner Shafer motioned to approve the Site Plan for Burger King. Commissioner Tyson second the motion. The Commission voted 5 (Shafer, Loving, Shelton, Tyson and Saffell) in favor, 1 (Greene) against and therefore the motion was approved.

Commissioners Present
Craig Shelton
Elijah Greene
Paul Loving
Justin Tyson
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Commissioners Absent
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City of Grain Valley
Planning & Zoning Commission
Meeting Minutes
Regular Meeting

5/13/2020
Page 6 of 6

ITEM VIII: PREVIOUS BUSINESS

- None

ITEM IX: NEW BUSINESS

- Commissioner Shelton added that since the last meeting, there was additional citizen to the city, his son was born on April 14th. Congratulations to Commissioner Shelton and his wife.

ITEM X: ADJOURNMENT

- Commissioner Shafer motioned to adjourn the meeting. Commissioner Tyson second the motion. The Commission approved the motion by a vote of 6 to 0.

-The Regular Meeting Adjourned at 8:05 PM-

Commissioners Present

Craig Shelton
Elijah Greene
Paul Loving
Justin Tyson
Debbie Saffell
Scott Shafer

Commissioners Absent

Kevin Browning

Staff Officials Present

Mark Trosen – CD Director
Dick Tuttle, PE – City Engineer