

MINUTES  
INDEPENDENCE CITY PLANNING COMMISSION  
March 22, 2022

**MEMBERS PRESENT**

Cindy McClain, Chair  
Bill Preston, Vice-Chair  
Virginia Ferguson  
Heather Wiley  
Paul Michell  
Bryce Young  
Butch Nesbitt

**STAFF PRESENT**

Rick Arroyo – Assistant Community Development Director  
Jordan Ellena – Development Manager  
Stuart Borders – Senior Planner  
Brian Harker – Planner  
Miranda Rice – Assistant to the Director  
Joe Lauber – Assistant City Attorney

A meeting of the Independence City Planning Commission was held at 6:00 p.m. on March 22, 2022, in the Independence City Hall Council Chambers, 111 E. Maple Ave. The meeting was called to order.

Chairwoman McClain noted speakers tonight will be limited to five minutes to allow everyone an opportunity to speak.

**CONSENT AGENDA**

**1. Planning Commission Minutes – March 8, 2022**

**Motion**

Commissioner Preston made a motion to approve the Consent Agenda. Commissioner Wiley seconded the motion. The motion passed with seven affirmative votes.

**CASES TO BE CONTINUED**

Staff advised the following cases should be continued to the April 12, 2022, Planning Commission meeting:

**Case 22-125-04 – Rezoning/PUD – 2351 S. Haden Street**

**Case 22-400-03 – Short-Term Rental – 3419 S. Denton Road**

**Case 22-400-04 – Short-Term Rental – 208½ W. Lexington Ave**

**Motion**

Commissioner Preston made a motion to continue Cases 22-125-04, 22-400-03 and 22-400-04, to the April 12, 2022, Planning Commission meeting. Commissioner Michell seconded the motion. The motion passed with seven affirmative votes.

**PUBLIC HEARINGS**

**Case 22-150-02 – Comprehensive Plan Amendment – Salem Drive and US 24 Highway**

### **Staff Presentation**

Stuart Borders presented the case. Mr. Borders presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses.

### **Applicant Comments**

Ashley Smith, 1203 E. US 24 Highway, stated she is available for any questions.

### **Public Comments**

No public comments.

### **Motion**

Commissioner Preston made a motion to approve Case 22-150-02 – Comprehensive Plan Amendment – Salem Drive and US 24 Highway. Commissioner Ferguson seconded the motion. The motion passed with seven affirmative votes.

## **Case 22-125-01 – Rezoning – Salem Drive and US 24 Highway**

### **Staff Presentation**

Stuart Borders presented the case. Mr. Borders presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses. Mr. Borders outlined the following conditions:

1. The properties must be properly replatted through the final plat process in conjunction with approval of the engineering plans for the public improvements.
2. The front setback of the buildings shall utilize varying setbacks of 20 feet, 25 feet and 30 feet with a maximum of three building in a row using the same setback. These setbacks must be shown on the final development plan.
3. The minimum rear setback for buildings around the perimeter of the property shall be 20 feet; there's no required rear yard setback for building's interior to the circle drive. The rear building line must be eliminated. The minimum distance between buildings shall be at least 12 feet.
4. In addition to the walking trail on the south part of the site, provide another project amenity, such as a picnic area or park amenities.
5. The applicant must work with the City and Jackson County to ensure that the existing stormwater management system, including detention basins, meet both entities requirements.
6. Between Buildings 17 and 18, provide a small, pull-in parking lot of three or four spaces to be used for temporary parking to reduce parking on the street.
7. With the final development plan, provide a tree preservation/landscape plan for the project showing new plantings and how the existing tree lines along the north and east sides of the site with be retained or improved. A landscape feature must be added around the central detention basin, show on the plans.
8. The street names and addresses will be assigned during the final development stage.

### **Applicant Comments**

Steve McBee, 1203 E. US 24 Highway, stated this will be a private, maintenance free development. He stated his company will retain ownership and will provide maintenance to help keep property values up and to keep the neighborhood looking nice. Mr. McBee said they've been talking with City staff, including the Fire Department, to ensure it is up to City standards and safe for fire trucks to access the development. He stated there is currently a lot of trash

dumped in the area and he believes this will improve the area. Mr. McBee said the homes will have good curb appeal.

In response to Commissioner Preston's questions, Mr. McBee stated they don't have any plans to sell off the properties. He stated his company has a succession plan and they hope to grow their portfolio. Mr. McBee stated the plot is one large lot.

Commissioner Michell asked for more detail on the landscape plan. Mr. Borders stated landscaping on the northwest could be added as a condition, it was omitted by error.

Commissioner Michell asked if additional amenities would be added. Mr. McBee stated they would include a dog park with a playground in the dry detention basin.

In response to Commissioner Nesbitt's question, Mr. McBee stated the units would be rented for \$1,400 a unit. He noted the utilities will be the responsibility of the occupant.

Commissioner Nesbitt questioned if the street will be wide enough for street parking on both sides of the street. Mr. Borders stated the street is planned to be the standard 28 feet. Mr. Borders stated the Fire Department did not express any concerns on the plan.

### **Public Comments**

Sandra Hall, 2022 Grove Circle, stated she lives in the housing development nearby. She stated she is concerned that there could be an additional 156 vehicles going in and out of the area, if two drivers live at each unit. Ms. Hall stated the other duplexes in the area already look bad and she believes this will hurt her property value. She said if these were single family homes, she would be in favor of this development.

Jennifer Burk, 1916 N. Concord Road, stated she is opposed to this development. She stated she and her neighbors are concerned about traffic, property values and questioned if this development will be serviced by the City or County for emergency services. Ms. Burk also asked if a tornado shelter would be required for the residents.

Mike Pollard, 1817 N. Dover Street, stated he believes it is a good development because it will help the dumping issue. Mr. Pollard reviewed the past proposed uses of this property. He said he is in favor of residential use, but he is not in favor of duplexes.

Mr. McBee stated he appreciates the concerns of the surrounding property owners. He said he believes this will increase property values. There will no longer be trash and brush dumped on the vacant land. Mr. McBee stated these properties will look good and will be constructed with high end materials.

### **Commissioner Comments**

Commissioner Michell asked if the City could require the duplexes to have different color variants to increase curb appeal. Mr. Borders stated a condition could be added to the motion.

In response to the earlier question from the public, Mr. Borders confirmed the City of Independence Police and Fire would respond to these properties.

In response to Commissioner Michell's question, Mr. Borders stated basements are not required for subdivisions of this type.

Commissioner Michell asked if a traffic study was done for this project. Mr. Borders stated the main intersection is in the County. He stated Jackson County did not require a traffic study and their requirements were incorporated in this plan.

Commissioner Nesbitt asked if the driveways could be widened to allow for two vehicles. Mr. McBee clarified that two cars can park at each unit. One can park inside the garage and one in the driveway. Mr. McBee noted if an additional spot was added to each driveway to allow a third vehicle, the subdivision would lose curb appeal and greenspace.

Robert Walquist, 821 NE Columbus, Lee's Summit, stated the units are 30 feet off the curb. He stated it would be difficult to add an additional park stall for each unit. Mr. McBee noted there is additional parking included in the City's condition number 6, between buildings 17 and 18.

City Attorney Joe Lauber reviewed the following changes Commissioners requested to the conditions as stated by staff:

- Number four should be amended to read: In addition to the walking trail on the south part of the site, provide another project amenity, such as a picnic area or park amenities with dedicated access.
- Number seven should be amended to read: With the final development plan, provide a tree preservation/landscape plan for the project showing new plantings and how the existing tree lines along the north and east sides of the site with be retained or improved. A landscape feature must be added around the central and northwest detention basins, shown on the plans.
- Number nine should be added: Modify the color palette and accoutrements to create visual distinction in the final development plan.

Commissioner Nesbitt stated he would like to see a change to number six and the number of available parking spots for the units. After additional discussion, Mr. Lauber reviewed this additional change:

- Number six should be amended to read: Between Buildings 1 and 25, 8 and 9, and 17 and 18, provide a small, pull-in parking lot of three or four spaces to be used for temporary parking to reduce parking on the street. Parking should also be limited to one side of the street.

### **Motion**

Commissioner Michell made a motion to approve Case 22-125-01 – Rezoning – Salem Drive and US 24 Highway, with conditions as outlined by staff and the changes as outlined by Mr. Lauber. Commissioner Preston seconded the motion. The motion passed with six affirmative votes.

### **Case 22-200-03 – Special Use Permit – 909 W. Waldo Avenue**

#### **Staff Presentation**

Brian Harker presented the case. Mr. Harker presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses. Mr. Harker outlined the following conditions:

1. The Bed and Breakfast shall obtain a business license in accordance with all City Code and comply with Section 5.01.004 (Article 1, Chapter 5) of the City Code. The business license number shall be listed on all advertisements and online platforms.

2. The business must comply with all safety and other standards required by Section 14-420 of the City Code.
4. A Reduced Pressure Zone (RPZ) backflow device will be required to be installed on the building's water service line just inside the building before any tees or wyes. This will provide the adequate backflow protection for the building.
5. Once the backflow prevention device is installed, the Independence Water Department will need to be sent a current test form (2022) for the backflow device to show that it has passed and is working correctly.

**Applicant Comments**

Spence Rosenbaum, 909 W. Waldo, stated they have a lot of visitors to this house because it's Truman's boyhood home. He said this would allow people to come and stay at the home and see the inside.

In response to Commissioner Michell's question, Mr. Rosenbaum stated they will not be providing meals. Mr. Rosenbaum said they have a separate entrance from the main residence.

Mr. Harker reviewed the difference between a Short-Term Rental and a Bed & Breakfast.

**Public Comments**

No public comments.

**Commissioner Comments**

Commissioner Preston stated he believes this is a beautiful home and believes it will be a good use for the property.

**Motion**

Commissioner Preston made a motion to approve Case 22-200-03 – Special Use Permit – 909 W. Waldo Avenue, with the conditions as outlined by staff. Commissioner Wiley seconded the motion. The motion passed with seven affirmative votes.

Chairwoman McClain called for a 10-minute break.

**Continued Case 22-150-01 – Comprehensive Plan Amendment – Little Blue Parkway/M-78 Highway**

**Staff Presentation**

Stuart Borders presented the case. Mr. Borders presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses.

Commissioner Nesbitt asked about the loss of residential property because the Housing Study was recently completed. Mr. Arroyo stated this area could grow in residential. He clarified the housing study didn't look at industrial zoned properties but looked at the housing trends. Commissioner Nesbitt expressed concern that it was already decided that this property should be residential and now they want to change it to industrial.

**Applicant Comments**

Chris Chancellor, 4825 NW 41<sup>st</sup> Street, Riverside, stated they're seeking to change the Comprehensive Plan back to what it was in 1968 and 1993. The zoning changed in 2007 to mixed use.

In response to Commissioner Preston's question, Mr. Chancellor stated this property is a good location because of its proximity to I-435 and I-70. He said it's significant labor pool for perspective tenants. He noted this will help the unemployed and the under employed. Mr. Chancellor stated a large amount of the employees at their location in Liberty have Independence addresses. He said this land has been vacant for 15-years and has not seen a meaningful commercial or residential use proposed. Mr. Chancellor noted a lot of this property is located in the floodplain which makes it more difficult to develop.

Mr. Chancellor stated NorthPoint was created ten years ago, and their offices are in the Kansas City Metro. He outlined their current locations located at M-291 and 210 Highway, one in Liberty under construction. A second Liberty location was recently approved, and construction will start soon on that site. Mr. Chancellor stated they have a large location on I-49 and noted they are currently redeveloping the old Bannister Federal Complex. He said they've started the fourth of seven buildings on the Bannister location.

In response to Commissioner Nesbitt's question on the number of employees for industrial spaces, Mr. Chancellor stated in their experience, they anticipate 6,400 jobs with this development. He noted the new Chewy facility in Belton employs between 1,700 and 2,000 people.

Commissioner Nesbitt asked about their current occupancy rate. Mr. Chancellor stated over 85% of their available spaces are currently filled. He said they've built 20 million square feet in the Kansas City metro and over 18 million of that was built speculatively.

In response to Commissioner Nesbitt's question, Mr. Borders stated the property owners are in favor of these changes.

### **Public Comments**

Randall Pratt, 214 S. Spring Street, stated the Comprehensive Plan is not a simple document of colorful maps. He said document outlines the goals and challenges of land use. Mr. Pratt stated originally there was a plan for over 400 million square feet of retail planned. With internet shopping, that will no longer happen. He stated it's currently in a mixed-use area and over 4,000 apartments could be built. Mr. Pratt stated the Business Park NorthPoint is proposing is still mixed-use. He stated one of the big concerns with the previously proposed Van Trust project was their proximity to residential neighborhoods. Mr. Pratt noted this proposed development is over a mile away from any residential properties.

Steve Mauer, 1100 Main Street, Kansas City, stated he is the Chairman of the Independence Economic Development Council. Mr. Mauer stated he has letters from 148 members in support of this development. He stated he has letters of support from the Fort Osage School District, Centerpoint Medical Center, Metropolitan Community College, and Independence Square Association, just to name a few. Mr. Mauer noted he has been involved with the City of Independence for over 30 years. He stated in the late 1990's, he went with City leadership to Jefferson City to lobby MoDOT to allow entrance and exit ramps on what is now Little Blue Parkway. Mr. Mauer stated the vision was to make Little Blue the industrial corridor for the City of Independence and give the children of Independence a place where they could live and work.

Lynne Baker, 19116 E. Street Court S, stated she lives near the proposed development. Ms. Baker stated she represents the academies of the Independence School District. She said the City does not have enough jobs for the students graduating from the technical academies. Ms. Baker stated the City is seen as a second- or third-class city compared to Blue Springs and Lee's

Summit. She wants the City of Independence to have the jobs that her students seek so they can stay in Independence to live and work.

Patrick Campbell, 18117 E. Fall Drive, stated he previously sat on this Planning Commission. He stated he works at Blue Ridge Bank and Trust on Little Blue Parkway. Mr. Campbell stated it was anticipated that the Little Blue Parkway would be the gateway to an industrial area. He noted the streets were designed with truck traffic in mind. Mr. Campbell stated he would like to see this Comprehensive Plan amendment approved.

Marck de Lautour, 4238 NE Edmondson Court, Lee's Summit, stated he's a single-family residential developer with SBD Housing Solutions and they currently have projects in the City of Independence. Mr. de Lautour stated in order to grow your residential base, you have to have the jobs in place in order to grow.

Gary Jones, 5352 S. Davidson Court, stated he used to live next to the old Best Buy on US 40 Highway and they had issues with trash trucks and lighting. Mr. Jones said he worked with the City to have changes made to the lighting and to amend the time the trash trucks could pick up from the businesses nearby. Mr. Jones stated he then moved near Bass Pro and worked with the homeowner association. He said as the area was developed near Bass Pro, the City, developer and homeowner association all worked together to make it a good experience for everyone. Mr. Jones believes this will be a similar experience, where the City, developer and nearby homeowners will work together to make this project a good thing for the City. He said it will bring good jobs to the area.

Jason Snodgrass, Superintendent of the Fort Osage School District, 2101 N. Twyman Road, stated he has been superintendent for seven years. He said this is the first time he's seen a project so important to the district that he come to the Planning Commission. Dr. Snodgrass stated the Fort Osage School District voted 7-0 in support of this development. He said he is very passionate about this project for several reasons. Dr. Snodgrass stated it is the goal of every school to prepare students for life after high school. He stated the Fort Osage School District has the largest area in Jackson County, but they have one of the lowest assessed valuations because a large part of their area is agricultural. Dr. Snodgrass said if this development is built as planned by NorthPoint, over 33 years, it will bring the Fort Osage School District over \$32 million dollars. He stated those funds can go a long way to help retain good staff. Dr. Snodgrass stated they're not only looking at the funds this development could bring to their school district, but also the opportunities it could bring to students. He said, if approved, they will partner with NorthPoint and the surrounding school districts to do internships in these spaces. Dr. Snodgrass believes this development will help create a brighter future for the students.

Blake Roberson, 4925 S. Conway Court, stated he is a member of the Council for Economic Development and on the Independence School Board. He stated he also has a small business in the community. Mr. Roberson said this is a great opportunity for the City and noted all seven members of the Independence School Board are in favor of this development.

Eric Ashbaugh, 1512 S. Lee's Summit Road, stated he has lived in the community for 40 years and has chosen to live in Independence because it's a good community. Mr. Ashbaugh stated he previously served on the Parks Board and on the Planning Commission. He said he understands people are concerned about losing the undisturbed land. Mr. Ashbaugh stated he runs a small landscape business in the City. Mr. Ashbaugh stated the proposed amendment will help make the zoning of this area appropriate and will attract new business like NorthPoint's proposed development. He noted NorthPoint's proposal has a lot of good greenspace and attention to the

landscape. He also noted they have a good water mitigation plan, and this proposal is nothing like the previous Van Trust proposal.

### **Motion**

Commissioner Preston made a motion to approve Case 22-150-01 – Comprehensive Plan Amendment – Little Blue Parkway/M-78 Highway. Commissioner Ferguson seconded the motion. The motion passed with seven affirmative votes.

### **Continued Case 22-100-03 – Rezoning – Little Blue Parkway/M-78 Highway**

### **Continued Case 22-125-02 – Rezoning – 20226 R. D. Mize Road and approximately 2411 S. Little Blue Parkway**

### **Continued Case 22-125-03 – Rezoning – E. Truman Road/M-78 Highway/Little Blue Parkway**

### **Staff Presentation**

Stuart Borders presented the three cases. Mr. Borders presented the Commission with a vicinity map, noting the area and surrounding zoning. He presented the Commission with an aerial map indicating the project area and explained the surrounding land uses.

Mr. Borders reviewed the following conditions for Case 22-125-02:

1. Retail buildings in this business park phase shall not have restrictions on the maximum building size, however; the development site shall meet the BP/PUD Floor to Area Ratio for the site.
2. The permissible uses for these properties includes all BP/PUD uses permitted by right plus a grocery store and businesses with drive-through facilities. Development must follow section 14-302 of the UDO for the BP/PUD District.
3. The design guidelines attached to this staff report shall apply to all construction within the Eastgate Commerce Center.
4. Restaurant parking is established at 1 parking space per 3 seats; individual buildings containing retail and office uses shall provide at least 1 space per 500 SF. For warehouse/manufacturing, the parking ratio shall be 1/1,000 SF.
5. Provide a draft copy of the covenants and restrictions with the first final development plan.
6. In lieu of curb and gutter along Necessary Road, asphalt resurfacing of the existing roadway is required with applicable striping.
7. Each new drive or access location for this development plan will need to be evaluated and approved or denied on its own merits and the traffic impact study updated accordingly.
8. The current stream buffers and the new proposed stream buffers should be more clearly indicated on the proposed plan.

Mr. Borders reviewed the following conditions for Case 22-125-03:

1. Retail buildings in this business park phase shall not have restrictions on the maximum building size, however; the development site shall meet the BP/PUD Floor to Area Ratio for the site.
2. The permissible uses for these properties includes all BP/PUD uses permitted by right plus businesses with drive-through facilities. Development must follow section 14-302 of the UDO for the BP/PUD District.
3. The design guidelines attached to this staff report shall apply to all construction within the Eastgate Commerce Center.



4. Restaurant parking is established at 1 parking space per 3 seats; individual buildings containing retail and office uses shall provide at least 1 space per 500 SF. For warehouse/manufacturing, the parking ratio shall be 1/1,000 SF.
5. Provide a draft copy of the covenants and restrictions with the first final development plan.
6. Any future improvements to Truman Road will be in accordance with the relevant development agreement between the City and developer.
7. Each new drive or access location for this development plan will need to be evaluated and approved or denied on its own merits and the traffic impact study updated accordingly.
8. The current stream buffers and the new proposed stream buffers shall be more clearly indicated on the proposed plan.

In response to Commissioner Nesbitt's question, Mr. Borders stated the developer would be responsible for putting in the new Necessary Road. The developer would also put in the new drainage ditches.

Mr. Arroyo noted the Traffic Study, Corridor Impact Study and Stormwater Drainage summaries were provided to the Planning Commission. He stated the full documents were over 500 pages and were reviewed by staff.

Commissioner Nesbitt asked if there would be improvements made to Truman Road. Mr. Arroyo stated this is a phased project and Truman Road would not be impacted until phase three or four. He said it proposed to have five lanes.

Commissioner Michell asked for clarification on the traffic study and possible new access drives. Mr. Arroyo confirmed the traffic study is part of the preliminary plan. He said as the development moves forward, the actual uses may change the traffic study which will need to be updated accordingly as the development builds out. He also stated the applicant is aware of these conditions.

### **Applicant Comments**

Chris Chancellor provided a background of the NorthPoint Development company. Mr. Chancellor stated this is a billion-dollar investment for their company and they see it as a long-term investment. He provided a list of some of their current tenants in other developments. Those include Chewy, Staples, Target, Ford, Amazon, and FedEx. Mr. Chancellor stated they have made over \$8 million in charitable contributions since inception. He stated Kansas City Business Journal named them the Best Place to work nine years in a row and they estimate over 78,000 jobs have been created in their developments. He noted they were also ranked the number one industrial developer over the last five years by Real Capital Analytics.

Mr. Chancellor provided a map of their current developments in the Kansas City metro. He noted there is a lack of industrial presence in eastern Jackson County. Mr. Chancellor stated their closest development to Independence is the Northland Park location at M-291 and 210 Highway and approximately 75% of those that apply for jobs at that location have an Independence address. Mr. Chancellor stated most people don't want to drive more than 20-25 minutes to get to work and this location would provide a large labor pool within that driving distance.

Mr. Chancellor stated they have held three community meetings to get feedback on their proposal. Based on those meetings, Mr. Chancellor stated they made numerous changes to their original plans. He stated one concern was the location of some of the buildings to Little Blue

Trace Trail. Mr. Chancellor said in response, they eliminated two buildings closest to the trail and agreed to a landscape buffer at locations where the trail is close.

Mr. Chancellor stated concern from community was the development around Horseshoe Lake and a possible American Bald Eagle nest being disturbed. During their environmental reviews, consultants did site visits and found there is no American Bald Eagle nest in the Horseshoe Lake near RD Mize Road. It was discovered there is another lake, not included in this proposal, on Jackson County Parks and Recreation property that is also named Horseshoe Lake. The consultants found that lake does have an American Bald Eagle nest.

Mr. Chancellor provided a project summary of the Business Park South development. He said it covers about 150 acres and will be 56% (about 83 acres) open space. It will have approximately 30 buildings in a mix of sizes and uses. Mr. Chancellor stated there will be a retail center that would contain a grocery store and some restaurants. He noted tenants want the area to have supportive business, like a grocery store and restaurants, nearby their facilities to appeal to those seeking jobs.

Mr. Chancellor stated their goal was to have the industrial buildings back away from Little Blue Parkway as much as possible, but to also have buffering as it backs up to the trail. He stated they have been working with Jackson County Parks and Recreation to create good screening for the trail.

In response to community concern, they are no longer proposing development around Horseshoe Lake, and they've eliminated the warehouse closest to the RD Mize intersection. Mr. Chancellor stated they've made the south parcel much smaller and will now focus the warehouse/mid-sized tenants to the northern tract.

Mr. Chancellor provided a project summary of the Business Park North (south of M-78) development. He said it covers about 180 acres and will be 56% (about 102 acres) open space. It will have 1.4 million square feet of Class A industrial space and 321,000 square feet of commercial space. The Business Park zoning would be concentrated near the Truman Road intersection with Little Blue Parkway. There is some flood plain on this site and the open space will help alleviate that. Mr. Chancellor stated they're speaking with Jackson County Parks and Recreation about leaving a section of this property dedicated to the trail. After receiving community feedback, the scale of the buildings was reduced in this area and one building was eliminated due to its proximity to the trail. They may also look at adding a lake to this property.

Mr. Chancellor provided a project summary of the Business Park North (mainly north of M-78) development. He said it covers 475 acres and will be 60% (about 285 acres) open space. It will have 3.7 million square feet of Class A industrial space. Mr. Chancellor noted the building size increase as you move away from the Little Blue Parkway. He stated they dedicated open space around the Jackson County Parks and Recreation Horseshoe Lake in this area, because it does have an American Bald Eagle nest. Mr. Chancellor stated they plan to work with Jackson County to create a new trailhead in this area and propose a dog park.

Mr. Chancellor stated one big concern from the community is the air quality. He noted the industrial buildings are 1,250 feet away from residential properties and stated 500 feet is the normal buffer distance. Mr. Chancellor stated the California Air Resources Board suggests 1,000 feet buffer from industrial to residential. He noted the industrial buildings will be 1,300 feet away from the proposed developments at New Town.

Mr. Chancellor noted the area between the Lake City Ammunition Plant and the Little Blue Trace Trail is already zoned I-1. He stated the area to the west of Little Blue Parkway are also zoned I-1 and include the power plant and concrete facility.

Mr. Chancellor reviewed the proposed open space in this development. He stated between RD Mize Road and Bundschu Road there is an existing 715 acres of protected open space. With the proposed plan, there will be an additional 255 acres of protected open space.

Mr. Chancellor stated traffic congestion at Jackson Drive and Little Blue Parkway was another major concern from the community meetings. He noted a traffic study was conducted in conformance with the scope requested by the City and MoDOT, in accordance with the Institute of Transportation Engineers (ITE) standards and recommendations. Additional intersections beyond the required scope of the traffic study were reviewed along Little Blue Parkway, both north and south of the project areas. Mr. Chancellor stated traffic solutions to the existing problems are important to get resolved. He said their traffic study looked at existing conditions and the proposed phases to determine when new traffic solutions are needed to accommodate their increased traffic.

Mr. Chancellor reviewed the current issues at Little Blue Parkway and I-70 issues. He stated an additional turn lane is needed for those going north on Little Blue Parkway who want to go west on Jackson Drive. He noted an additional turn lane, or longer que for turning, is also needed for those going south on Little Blue Parkway, for those that want to turn east on Jackson Drive. Mr. Chancellor stated MoDOT wants to widen the westbound off ramp to have a dedicated right and left turn lane. He noted MoDOT wants to widen the on ramp to go westbound I-70 and need dual left turn lanes on the bridge. Mr. Chancellor said MoDOT has a plan in place to implement those changes, but they don't have the funding to move forward with the changes needed. He stated NorthPoint proposes to partner with MoDOT and the City to find the funds to make these improvements. This would include NorthPoint investing millions of dollars to match the MoDOT funding. Mr. Chancellor stated by partnering with MoDOT to make these changes, it will help them years down the road when their development starts seeing increased traffic.

In response to Commissioner Nesbitt's question, Mr. Chancellor stated the traffic study did look at M-78 Highway. Mr. Chancellor said the current four lanes can accommodate increased traffic. He noted they anticipate about 40% of employee traffic is expected to use M-78 Highway. They believe some trucks will use M-78 Highway, but the majority will go south to I-70. Mr. Chancellor stated most distribution centers will see some semi-trailers, but the majority are small panel trucks, like UPS and FedEx trucks. He reviewed possible trip counts and stated Little Blue Parkway was created as a four-lane divided street with this type of use in mind. Mr. Chancellor noted no trucks will utilize residential streets.

Mr. Chancellor showed pictures of what the proposed buildings will look like, both the outside and inside of the office and warehouse spaces. He reviewed the history of the sites and noted in 1993 the Comprehensive Plan identified the Little Blue Expressway as a key for industrial development opportunities. In 2007, the landowner had a plan approved for a large mixed-use development that could include residential, but it never came to fruition.

Chairwoman McClain called for a 5-minute break.

### **Public Comments**

Eric Knipp, 900 S. Main Street, stated he was speaking on behalf of the Chamber of Commerce. He stated at the last board meeting, they voted unanimously in favor of this project. This project will help support the school districts and the residents and it will bring good jobs to the community.

Dan O'Neill, 2700 Coachman, stated he is a board member of the Economic Development Council and they're in favor of this project. He believes NorthPoint is a good local company for this development and noted they're recognized for their high-quality construction. Mr. O'Neill stated this might be the most exciting development he's seen for this City.

Beth Franklin, 1945 S. Lake Drive, stated she is in support of this project. She stated the Little Blue Parkway was developed for this type of development. Ms. Franklin stated the fact this developer is a local company is icing on the cake. She stated this development will bring good jobs to the City. Ms. Franklin stated she believes this will increase property values in the area because more people will want to live and work nearby.

Orval Fisher, 22722 E. 28<sup>th</sup> Street Court, Blue Springs, stated he frequently uses the Little Blue Trace Trail. He stated he is in support of this project.

John Sheehy, 25101 E. Strode Road, Blue Springs, stated he lives and works nearby this development. He stated he is in support of this project.

Steve Kellogg, 1820 S. Ann Ct, stated he lives nearby, and he is in support of this project.

Damon Miles, 19305 E. 5<sup>th</sup> Terrace Court N, stated he is about 2 miles from this site. He stated he is for this project as long as it's done right. Mr. Miles said the City needs development and money in Independence. He said developers in Kansas City are using unskilled workers and using cheap products. Mr. Miles said NorthPoint needs to use local contractors and workers to build this development.

Mr. Lauber stated the Planning Commission will look at the zoning of the property and have no authority to tell the developer what type of workers they hire.

Mark Thatcher, 19501 E. M-78 Highway, stated he is opposed to this development. Mr. Thatcher stated the previous 2007 plan was on a smaller scale. He stated there is no guarantee that they will have tenants. Mr. Thatcher said businesses can't find workers currently and noted 40 Highway and Noland has plenty of empty buildings that can be used. Mr. Thatcher said the roads in the area are already dangerous and this development would make it worse. He noted there is a lot of flood plain that would get worse with additional concrete. Mr. Thatcher stated this development will disturb the nearby trails.

Kenneth Love, 16808 E. George Franklin, asked Charwoman McClain if she is a member of the Community of Christ Church. Chairwoman McClain stated she is a member and Commissioner Ferguson stated she is also a member. Mr. Love expressed concern that Chairwoman McClain and Commissioner Ferguson should not vote on these cases because some of the property is owned by the church. Mr. Love stated that he isn't for or against the project but that he stands with the residents, and if they don't want it, he doesn't want it. He said everywhere is hiring business are unable to fill vacant positions. Mr. Love stated he stands with the union workers.

Bob Rackenberry, 3111 S. Arrowhead Drive, stated he wants the Planning Commission to think about the legacy that this will leave the children. He stated he is concerned about the restaurants and retail part of this project. Mr. Rackenberry questioned what will happen with Independence Center when we try to bring additional retail to this development.

Keith, with Heart of America Pop Warner, 2801 S. Necessary Road, stated he is concerned about Necessary Road improvements and the traffic in the area. He said he wants to make sure it's safe for the kids to get to their games.

Thresa Tweedie, 3111 S. Arrowhead Drive, stated she is a retired nurse. She stated traffic is a big issue and the rezoning should not be approved until the traffic issues are resolved. Ms. Tweedie stated the increased traffic will be right in front of the hospital.

Jason Schuler, 3017 Bryn Mawr Drive, stated there are too many vacant buildings in the City. He stated you can't guarantee this will create jobs for Independence residents. Mr. Schuler stated this will bring in trash and bad people to this area of the City.

Mary Hoff, 400 N. Bly Road, stated she's lived there over 26 years. She stated she currently looks at fields around her home. Ms. Hoff said she wasn't aware of any community meetings. She asked if sewer lines will be run to this development and stated she is concerned about property values. Ms. Hoff stated she would not like this development being so close to her home.

Mr. Chancellor stated most developments of this size start out as speculative. He stated this is not going up overnight, it will go up in phases, starting with a couple of buildings at a time. Once a building is leased at 80% occupied, a new building or phase would start. Mr. Chancellor stated the buildings near the trail would go up last. He said an extensive traffic study was done and they hope to work with MoDOT to help fund the changes for the existing traffic issues. Mr. Chancellor noted they will work with Heart of America Pop Warner to ensure children are able to get to their games at the field. Mr. Chancellor stated they changed their plan and took out the buildings that were within 500 feet of the trail.

#### **Commissioner Comments**

In response to Commissioner Preston's question, Mr. Chancellor stated having residential over 1200 feet away from these buildings will allow residents to have good air quality and shouldn't notice any sound from the businesses.

Mr. Chancellor stated the addition lakes and wetland areas will help maintain good water quality. He said larger bodies of water help clean the stormwater and they help control the volume of stormwater. Mr. Chancellor discussed that generally farm fields have pesticides and no water quality basins to capture the runoff before it goes into the Little Blue River. He noted this project has a thorough stormwater approach and Jackson County Parks and Recreation is supportive of this stormwater approach. Commissioner Preston asked if wildlife in the area can survive in the lakes that will be created. Mr. Chancellor stated these additional ponds and wetlands will be great for wildlife.

In response to Commissioner Nesbitt's question, Mr. Arroyo stated there are potential traffic changes to M-78 in Phase 3 and 4. He said as these phases move along, MoDOT and the City will work with the developer to make the necessary changes.

In response to Commissioner Nesbitt's question, Mr. Arroyo stated there would be about \$4 million of electrical improvements and other improvements to water and sewer. Mr. Arroyo said

there is capacity, an additional substation would have to be built. Mr. Chancellor noted the phases will gradually bring the infrastructure as they build. Mr. Arroyo stated the developer will bear the cost as it's developed.

In response to Commissioner Michell's question, Mr. Chancellor stated retail travel will be more on the weekend. The industrial traffic will happen more during the week. Mr. Chancellor stated the traffic impact to rush hour traffic will be minimal.

Commissioner Young asked City staff when a developer was last willing to invest \$1 billion into this community. Mr. Arroyo stated he is not aware of any previous developer willing to invest that amount into this community.

Commissioner Preston asked Dr. Snodgrass if he believes Independence will have the labor pool necessary to support this type of development. Dr. Snodgrass stated they have several opportunities for students to have real world experience during their high school career. He said he believes a lot of his students and their parents are driving out of Independence for jobs.

Mr. Lauber asked Commissioner Ferguson and Chairwoman McClain several questions regarding a possible conflict of interest voting on these cases as they are members of the Community of Christ Church. Upon hearing the answers, Mr. Lauber stated he does not believe there to be a conflict of interested and both Commissioners can vote on the cases.

Commissioner Nesbitt stated he believes industrial use will be good for this area. He stated it's been residential for a while and no development has come forward. Commissioner Nesbitt said NorthPoint has had answers for all the questions presented tonight and he stated he hopes they're able to deliver.

Commissioner Young stated he likes that NorthPoint is a local company. He stated he would like to see them use local workers, but as Mr. Lauber pointed out, it's not something the Planning Commission can require. Commissioner Young said he is excited for this project.

Commissioner Preston said he was on this commission when a previous proposal was presented. He stated NorthPoint's presentation was incredible, and he believes this is an opportunity of a lifetime. Commissioner Preston stated this is a partnership and believes a project that will cost \$1 billion dollars will have follow through from the developer. He noted here at midnight, there are still four City Council persons in attendance to hear more about this project. Commissioner Preston praised City staff, NorthPoint's developers, and Mr. Lauber for their work on bringing this project forward.

Commissioner Michell stated this rezoning is a big opportunity for the City to move forward.

Chairwoman McClain said she is impressed with the amount of greenspace and the plans for the floodplain areas. She stated she is glad to hear NorthPoint will work with Pop Warner to ensure their games are not disturbed with the construction.

Commissioner Preston thanked the residents that came out to the meeting to voice their opinions and questions.

### **Motions**

Commissioner Preston made a motion to approve Case 22-100-03 – Rezoning – Little Blue Parkway/M-78 Highway. Commissioner Wiley seconded the motion. The motion passed with seven affirmative votes.

Commissioner Preston made a motion to approve Case 22-125-02 – Rezoning – 20226 R. D. Mize Road and approximately 2411 S. Little Blue Parkway, with conditions as outlined by staff. Commissioner Ferguson seconded the motion. The motion passed with seven affirmative votes.

Commissioner Michell made a motion to approve Case 22-125-03 – Rezoning – E. Truman Road/M-78 Highway/Little Blue Parkway, with conditions as outlined by staff. Commissioner Preston seconded the motion. The motion passed with seven affirmative votes.

### **OTHER BUSINESS**

#### **Capital Improvements Program for Fiscal Years 2022-2028**

##### **Staff Presentation**

Rick Arroyo presented the Capital Improvements Program.

##### **Motions**

Commissioner Nesbitt made a motion to remove the Noland and Lynn Court project from the Capital Improvement Program plan. The motion failed for lack of a second.

Commissioner Nesbitt made a motion to remove the Independence Square Streetscape project from the Capital Improvements Program plan. The motion failed for lack of a second.

Commissioner Preston made a motion to recommend the Capital Improvements Program 2022-2028 to the City Manager as presented. Commissioner Michell seconded the motion. The motion passed with six affirmative votes.

### **ADJOURNMENT**

*The meeting was adjourned at 12:19 a.m.*