

9-6-22

My name is Jim Pallo. I live at 2416 Lee's Summit Rd. in Indep.

I oppose this rezoning request.

I hope you will take the time to view the video of the planning commission meeting concerning this request. What I have to say here will follow the video time wise and be easier to understand if you do.

There are many inaccurate or incorrect statements and power point pictures made during this meeting. To base your approval of this change on their recommendation could be a mistake that the city will have to live with.

In viewing this meeting, you will see the city staff post incorrect maps of the area in question along with inaccurate renderings of the proposed buildings and parking spaces that were provided by the developer to staff.

13:20 To mitigate the extreme traffic volume that the traffic study said would occur here, city planners accept the proposal for traffic to cross the parking lot of Discount Tires to gain access to the traffic light at 23rd street leading in and out of Hy-Vee. As I said in my e mail to you, I think that is a very bad idea.

25:40 While asking about where parking would be provided since the renderings didn't show any, Commissioner Nesbitt said he couldn't read the power point picture. He would repeat 2 more times during this meeting that he couldn't see what was being displayed. I don't believe any of the commissioners could see the projected preliminary development plan. You certainly can't see it on The City 7 video. It is viewable on the agenda item cover sheet under attachments.

33:17 The commissioner wants to know if there is a right hand turn lane off of 23rd Street eastbound into their place as the traffic study suggested. Ashley Smith said it's already in the plan for the car wash, that it will be built. The development plan submitted, that no one can see, shows the car wash but does not show a right hand turn lane off of 23rd street.

34:50 Before I started my statements at the planning commission meeting, I had to convince staff that their power point map projection showing the area to be rezoned was incorrect.

1:07:30 The developer's engineer answered a question from the public about whether or not there was a well that had been properly taken care of. He answered that he thought there was a cistern and it had been filled.

There was a windmill on the property. That windmill would have been there to pump water out of a well. The cistern would be storage for the

water when the wind was not blowing thus not pumping any water. These 3 things are an integral system to provide water. I would like to know if the developer consulted with the Missouri Department of Natural Resources to properly cap the well to prevent contamination of groundwater.

1:07:50 In response to the commissioner's question about restricting the project to over 55 housing, Mr. McBee said that requirement would be on the lease. Who guarantees this and enforces that requirement?

The commissioner asked Mr. McBee if an 18 year could live with grandma and Mr. McBee said he couldn't discriminate against the 18 year old if grandma was raising said child. But The Federal Housing for Older Person's Act of 1995 says the community can set age limits. That's the point of the act. If a community wants to advertise as over 55 living, it must set age restrictions otherwise, claiming to be an over 55 living community becomes false advertising because all ages could live there.

1:11:47 In discussion about traffic concerns, Mr. McBee says there are, and I am trying to quote, "actually five entrances now because we're adding 1, 2, 3, and 2 that you could use, now the fifth would be if you cut thru the parking lot to another stop light". Ashley Smith agrees with him. I don't know what they are talking about. There is not another stop light to gain access to or from Hy-Vee's parking lot.

1:13:30 The commissioner asks about storm water concerns. An unidentified person off microphone is apparently answering his questions. I don't know who he is or what he said.

1:18:40 I wanted to ask questions about some of these inaccuracies but the Chair closed the public portion of the hearing knowing that the public had more questions.

If you watch the video, which at times is agonizing to follow, you will get a much more vivid idea of how disjointed the presentations and conversations were. I hope you will agree with me that a sound and wise decision can not be made to approve this request based on the evidence presented at that meeting.

I'll end this talk by quoting from the city's Comprehensive Plan 2040: "The existing neighborhoods should be protected when new development is proposed in order to preserve the quality of life for existing residents." I hope you will deny this zoning change. Thank you.

Transcript of talk I gave to
Planning Commission on 8-23-22

Jim Pallo

I'm Jim Pallo. I live at 2416 Lee's Summit Road in Independence. My property shares a boundary line with the proposed development. I am the third generation of my family to have lived here, raised a fourth, with a fifth visiting often. My very earliest memories 65 years ago include going to the 'country' to stay at grandma and grandpa's farm for the weekend where I thoroughly enjoyed chasing the chickens despite grandma's persistent scoldings. To this day, whenever I see chickens, I want to chase them. Those really were the good old days.

I strongly oppose this rezoning request. Here's why.

The proposed usage does not conform with the surrounding usage. According to the Jackson County Parcel Viewer, there are only 11 lots that share a common property line with the area in question,

excluding Hy-Vee, Discount Tire and McBees Coffee and Carwash. All 11 of these lots are owned by homeowners that live on the lots or adjoining ones. All lots have single family residences or are vacant. The average lot size is 2 acres! My property is almost 4 acres. The proposed development has 8.7 housing units per acre-17.4 times more living units per acre than the surrounding 11 neighborhood properties! I believe that would make it the densest area of single story private residences built in the city since 1940!

The City's Unified Development Ordinance (Article 3 Section 14-300-02) says "Independence residential zoning districts are intended to create, maintain, and promote a variety of housing opportunities for individual households and to maintain the desired physical character of existing neighborhood and developing areas." This proposed development would not in any way maintain the physical character of the existing neighborhood which is single family residences on unusually large lots. A much more appropriate zoning of this area would be R-A or R-1 which would help maintain the physical character of the neighborhood.

You can't really appreciate this area by just driving around it. If you would like to get a better feel for this wonderful place, e-mail or give me a call. I'll give you a viewing tour from my property.

All 12.44 acres of the proposed development currently is a green space which is a quality highly desired by cities all across the country, including Independence. The city's Parks and Rec Master Plan calls for the creation and maintenance of new and existing parks. This property has been like a park that supports a myriad of animal and plant life that contributes to a high quality of livability for the residents of Independence, especially those that live in the area, and it costs the city nothing. The Parks and Rec master

plan tries to promote green space by building and maintaining parks at considerable expense to taxpayers. The value of green space is not diminished just because it is not part of a city park. This area is a valuable hidden jewel.

The small size of the apartments (925 square feet) and lack of basements that provide life saving protection from tornadoes, keeps building costs to a minimum with corresponding low rents. This will allow those with Section 8 vouchers to become tenants which will decrease all property values in the neighborhood which will then increase housing instability. The 'Independence for all' The City-Wide Housing Study adopted this year identifies continuing efforts to promote neighborhood stability by reducing out of town landlords as a key tactic to address its housing needs and goals. The 'Independence for all' strategic plan also cites neighborhood stability as an objective to create a good quality of life here.

There are many areas near Centerpoint and Childrens Mercy hospitals that are not only well suited but also complimentary to this type of development and already comply with the Unified Development Code zoning regulations.

'The Independence for All' strategic plan adopted recently and 'Imagine Independence' the Comprehensive Plan 2040, both repeatedly cite livability as a very important goal to achieve a good quality of life for all. In fact, Imagine Independence says on page 37, and I quote "The character of existing neighborhoods should be protected when new development is proposed in order to preserve the quality of life for existing residents." This development will not preserve our quality of life.

This proposed zoning change goes against the text and spirit of 5 city plans. [the city's Unified Development

Ordinance, Parks and Recreation Master Plan, the City Wide Housing Study The Independence for All Strategic Plan, and its Imagine Independence Comprehensive Plan 2040]. The guiding principle of all of these plans is to promote quality of life and to not destroy the good things that already exist. Allowing such unsightly, high density housing would turn this jewel of highly valued green space into a lump of coal. If the city's visions, plans and ordinances are to be respected, this zoning change should not be approved. Otherwise, these plans just become worthless pipe dreams, like those from the Community Development Department in 2001 that would have put a section of the The Queen City of Trails System through this very same property, which would have been a perfect addition to this area.

Again, I quote from Imagine Independence the Comprehensive Plan 2040, page 37, "The character of existing neighborhoods should be protected when new development is proposed in order to preserve the quality of life for existing residents."

I urge you, do not approve this zoning change.

Jim