

BEFORE THE INDEPENDENCE, MISSOURI
PLANNING COMMISSION

INDEPENDENCE CITY HALL
COUNCIL CHAMBERS
111 EAST MAPLE STREET
INDEPENDENCE, MISSOURI

April 29, 2008 6:30 p.m.

Trinity Real Estate Development
Rezoning/Plan Amendment
Case #08-100-05

MEMBERS OF THE COMMISSION PRESENT

Mr. Pat Campbell

Ms. Karen DeLuccie

Mr. David Roberts

Ms. Lyn Westfall

ALSO PRESENT:

Mr. Brian Harker

Mr. Bill Moore

Mr. Jim Harpool

CHAIRMAN ROBERTS: We have before us
Item No. 5 on the agenda, Trinity Real Estate
Development, rezoning and plan amendment.

MR. HARKER: Mr. Chairman, Case
08-100-05 is a request by Trinity Woods Real

Estate Incorporated represented by David Barney. Has submitted an application to rezone 23.13 acres of land from A-1 agricultural to RP-3 planned moderate -- I'm sorry. Let me start over. From agricultural and AR-3 planned moderate density residential to planned general commercial and approve amendments to the comprehensive plan from office park and low-medium density residential and medium-density residential to mixed use. The properties are generally located northeast and south of the corner of Little Blue Parkway and Valley View Parkway.

So looking here at our vicinity map that we have up here on the screen, actually, this is two areas, a 12-acre and approximately 11-acre site. The one up on the northeast, the oval is the one that's zoned A-1 and the one at the southwest is the one that's currently zoned planned moderate density residential.

And this zoning map better let you see where these are. This is the property just -- the property on the northeast here is one that's just east of that interchange of Little Blue Parkway and I-70. They're abutting the south side of I-70 against the

railroad tracks there to the west. So you've got agricultural north of the highway there and of course to the east abutting Blue Springs, and then it's already zoned for general commercial, planned general commercial within the rest of the proposed development area to the south and west of that.

Then to the southwest over by Heartland Drive to the south of the entrance of the Tri-City Baptist Church there on Little Blue Parkway, it's a portion that's zoned residential like what's to its west. Of course, the church property is zoned that way as well. And of course, the rest of the Trinity development lies to the north at the earlier approved intersection there at the development, and then the second phase that's the bulk of the property to the east of Little Blue Parkway there along a planned extension of the Valley View Parkway.

Here's a topographic map or aerial photo. Unfortunately, these photographs are about three or four years old now, so the area does not resemble this at all anymore. Crackerneck Road is, of course, already gone. The new realigned 46th Street is already partially in there coming off of that

extension of the Valley View Parkway that's under construction. There's, of course, that hillside there. It's up by the interchange it's been removed and there's been a lot of movement and dirt and whatnot so that it's already a prepared area.

Of course, as you can see, you can see the existing church property there to the west. And of course, to the northwest is, of course, the Blue Ridge bank tower, which is already visible in this picture. And here again is that same area showing both of those locations, the larger 12.9-acre and the 11.4-acre area. And all 26 lots, of course, six of the lots were part of the first preliminary plat, and of course all the lots, the five on the west side of Little Blue Parkway have already been platted, and we've had a couple of plats already there east of Little Blue Parkway.

The proposed lots, which are on the east side, 6 through 26, of course were mostly ball fields and woodlands until recently. Bank, hotel, medical office, and restaurant uses, retail uses are envisioned for this area of the second phase. Of course, there are restaurant and office uses also with the

previous phase, which were getting underway on the west side of the road.

The applicant intends office and retail uses on the northeast and retail uses on this southern property down toward Heartland. Access to the development is via this extended Valley View Parkway and Heartland Avenue, which come off of a Little Blue Parkway and Valley View Road. Of course, Valley View Parkway is a four-lane divided roadway that will connect down with that existing Valley View Road that goes to the north of the mobile home park down there that's south of this property, and the traffic coming in from Blue Springs is generally diverting and coming up to that traffic light that's now up by the bank building up there.

Of course, there's two major drainage basins, one over toward this rezoned property up by Little Blue Parkway and another that would be over toward the southeast. And specifics about working out those will come with all these additional plats that will come with the second preliminary plat that's already come through that you saw earlier six months ago.

Real quickly, zero in on these two

locations again. This is the northeast one by I-70. That's the railroad track there. You can see its southern portion of this property, of course, the outer line is the notification zone, but that southern line there that's the southern half of the rezoned area, that's actually roughly the alignment of the Crackerneck Road that has been vacated and is no more or will be vacated as it's replated, though the pavement is already removed.

And this is the new looping road that you can see that will turn back on itself and go back to Valley View Parkway. And of course, this is down by Heartland Drive or Heartland Avenue there at the southwest corner of that intersection.

This is a concept plan that was submitted with this rezoning and the preliminary plat that you saw about six months ago. Things may change slightly on this, but you get the basic gist of the kind of uses that are envisioned.

This is the new 46th Street that's just south of I-70. Those traffic lights you see on top of the hill to the right of the building, that's the interchange. So this is down below the hillside that was taken out.

And that's where a lot of the hillside ended up. And you can see where this was -- the fill that was put to the south.

Of course, this is looking northwest toward the bank building. And this is the extension of Valley View Parkway looking to the west with Tri-City Baptist across the street on the hill. And then this is looking southward and southeastward. More eastward toward the railroad track. Runs under I-70. Goes onto the south. And this is looking from way down by Valley View Road on the south, looking back toward I-70 and the Little Blue Parkway, looking a little bit to the northeast, northwest, or back toward Eastland, and then due north. And of course there's -- up by I-70 and the bridge or the railroad.

Staff recommends approval of Case No. 08-100-05, a request by David Barney for Trinity Real Estate Development Inc. to rezone tracts of land located south of I-70, north of Valley View Road, and east of Little Blue Parkway from A-1 agricultural and RP-3, planned medium-density residential or planned moderate density residential to C-P-2, planned general commercial, and recommends amending the comprehensive plan from office park and

low-medium density residential and medium-density residential to mixed use.

CHAIRMAN ROBERTS: Any questions to the staff?

COMMISSIONER CAMPBELL: I've got one. So we'll have two motions? One for the comprehensive plan amendment?

CHAIRMAN ROBERTS: Well, that's what we've done in the past.

COMMISSIONER CAMPBELL: Yeah.

CHAIRMAN ROBERTS: Do we need to have each parcel be different or can we lump both parcels in the same motion? So whoever makes the motions will need to be clear on how they're doing that.

Okay. Is the applicant -- is there any other questions?

COMMISSIONER CAMPBELL: No.

CHAIRMAN ROBERTS: Applicant, if you'd come forward, and presentation?

MR. MOORE: Good evening, Mr. Chairman, members of the commission. My name is Bill Moore. I'm attorney with King Hershey law firm, offices located at 2345 Grand Boulevard, Suite 2300, Kansas City, Missouri. Here on behalf of the applicant, Trinity Real Estate Development Company, Inc. With me this

evening are Mr. David Barney with Trinity and also Mr. Jim Harpool, principal with Harpool, Morgan, and Heany. And they will certainly be available to answer any questions if you should have any with respect to the particular issues regarding the proposal that we have before us.

We're really excited to be here tonight. You know, we've been in front of you several times now on this project, and you've kind of seen it, have seen it evolve as we've gone through the process. The last time we were here was for the final plats that allowed us to proceed with the sale for really what we consider kind of the cornerstone of the project right now, which is Children's Mercy. That's the piece that's located right in the center of the project.

In addition, as you know, we've got Drury Hotel. It's a five-story hotel that will be right up on the corner. And just recently we just started the ground breaking or just the ground breaking for the corner cafe, and that's located right down at this location. Right there. And we're just really excited that we're here to talk to you tonight about moving this thing forward to the next

phase to hopefully get the project fully completed.

I'm not going to repeat what Brian said with respect to the staff report. I think he did a good job of explaining exactly what you have in front of you. It is a rezoning of, basically, the balance of the property. There's a little bit left that we're not seeking any rezoning at this point, simply because we're not certain what the future holds for that piece, the arrow tip piece right down here at the very bottom.

So at some point, we may or may not be back in front of this commission to discuss that piece, but we are here tonight to talk about the other two pieces of the property that are kind of, you know, in the mix of the piece of development that we have in front of you and that we've been pursuing for the last couple of years. And the northern piece, as you know, is the acreage that's right along I-70. The request there is from an A-1 to a C-P-2 rezoning. And that just will carry forward what has already occurred on that site, and then the other piece is the more central piece that is located in this vicinity. And that's currently the RP-3

zoning that we're requesting go to C-P-2 that will allow for, again, the continuation of the development of this project as it moves forward.

Obviously, in conjunction with that, we are requesting that the comprehensive plan be amended to accomodate the project and the comprehensive plan amendment to a mixed use, which would allow to proceed with a mixture, again, as Brian indicated in the staff report, it would be a mixture of retail and office as the project builds out. And certainly it would be appropriate for mixed use development.

Really don't have anything more to add with respect to the application. We feel it's pretty straightforward. It is a continuation of what we've started. This will just simply allow Trinity to complete what they've begun and what we think is a real fine addition to the City of Independence. And with the start that it's had right now, we have great hopes with it as it builds out. So we're certainly available for questions, either myself or any of the other two individuals that are here this evening.

CHAIRMAN ROBERTS: Okay. Questions

to the applicant? I guess I have a couple. Were these parcels a part of previous plans for Trinity or are these parcels additions and then you've reconfigured your plans? It's been long enough since the other things have come forward, I'm not sure that I know.

MR. MOORE: I'll let the planner tell you that.

MR. HARPOOL: Jim Harpool with Harpool Morgan Heany, 35201 Johnson Drive, Suite 250, Mission, Kansas. This ground is all part of the original Trinity Woods development plan. It's just that we have not -- we did the targeted TIEFF for the first phase. The rest of the property was already zoned correctly. This is kind of the last piece. It was part of that that we just needed to get rezoned and make it all kind of part -- and clean it up.

CHAIRMAN ROBERTS: So part of the reason, then, is that the other parcels were part of the TIEFF and these were not, so they weren't included in those plans at that time?

MR. HARPOOL: Yes.

CHAIRMAN ROBERTS: Okay. Thank you.

MR. HARPOOL: And been part of the master plan.

COMMISSIONER CAMPBELL: That's the timing of Children's Mercy? Do you have that down yet?

MR. HARPOOL: Never soon enough. I won't presume to speak for Children's, but we're hopeful that construction might start this year.

COMMISSIONER CAMPBELL: Okay.

CHAIRMAN ROBERTS: Any other questions?

(No response.)

CHAIRMAN ROBERTS: Okay. Thank you very much. Is there anyone else who wishes to speak in favor of this case?

(No response.)

CHAIRMAN ROBERTS: Is there anyone who is opposed or who has questions regarding this case? If you'd step up to the mic?

(No response.)

CHAIRMAN ROBERTS: Seeing none, we'll close the public hearing. Any final questions to the staff or to anyone? Any comments?

COMMISSIONER CAMPBELL: Yep.

CHAIRMAN ROBERTS: Okay. We'll just start down here.

VICE CHAIRMAN BOATRIGHT: Comments?

COMMISSIONER CAMPBELL: No, just cleaning it up. Glad to see it get done.

VICE CHAIRMAN BOATRIGHT: Looks like it's going to be a nice development out there. Driving through there to take my son to play soccer and seeing a lot of the dirt work being done, I think that's going to make a really nice complement to what's already out there. So I'm in favor of the project.

CHAIRMAN ROBERTS: Okay.

COMMISSIONER DeLUCCIE: Do you have anything?

COMMISSIONER WESTFALL: Oh, no.

COMMISSIONER DeLUCCIE: I'm just in favor of the project. I'm excited about the project. I'm glad we're here tonight.

CHAIRMAN ROBERTS: And I would concur with those comments for both the comprehensive plan change and the rezoning. I guess we're looking for a motion on the comprehensive plan amendment and then we'll look for a motion on the zoning.

COMMISSIONER DeLUCCIE: Mr. Chair, I move that we approve an amendment to the comprehensive plan from office park low-medium density residential and moderate density residential to mixed use.

COMMISSIONER WESTFALL: Second.

COMMISSIONER DeLUCCIE: Is there a second?

COMMISSIONER WESTFALL: Second.

CHAIRMAN ROBERTS: Lynn seconded.

Any further discussion on the motion?

(No response.)

CHAIRMAN ROBERTS: Role call?

MR. HARKER: Commissioner Deluccie?

COMMISSIONER DeLUCCIE: Yes.

MR. HARKER: Commissioner Campbell?

COMMISSIONER CAMPBELL: Yes.

MR. HARKER: Commissioner Westfall?

COMMISSIONER WESTFALL: Yes.

MR. HARKER: Commissioner Boatright?

VICE CHAIRMAN BOATRIGHT: Yes.

MR. HARKER: And Chairman Roberts?

CHAIRMAN ROBERTS: Yes. The comprehensive plan amendment has been recommended for approval. We have now before us the rezoning.

COMMISSIONER CAMPBELL: Mr. Chairman, like to move for approval of Case 08-100-05, subject to staff comments.

VICE CHAIRMAN BOATRIGHT: The rezoning?

COMMISSIONER CAMPBELL: The

rezoning, yes.

VICE CHAIRMAN BOATRIGHT: Second.

CHAIRMAN ROBERTS: And Les on the second. That includes both parcels?

COMMISSIONER CAMPBELL: Yes.

CHAIRMAN ROBERTS: Okay. It's been moved and seconded. Is there any further discussion on the motion itself?

(No response.)

CHAIRMAN ROBERTS: Roll call?

MR. HARKER: Commissioner DeLuccie?

COMMISSIONER DeLUCCIE: Yes.

MR. HARKER: Commissioner Campbell?

COMMISSIONER CAMPBELL: Yes.

MR. HARKER: Commissioner Westfall?

COMMISSIONER WESTFALL: Yes.

MR. HARKER: Commissioner Boatright?

VICE CHAIRMAN BOATRIGHT: Yes.

MR. HARKER: Chairman Roberts?

CHAIRMAN ROBERTS: Yes. Case 08-100-05, rezoning on the two parcels, have been recommended for approval.

COMMISSIONER DeLUCCIE: You can tell Children's Mercy they can just start any old time. That's fine with us.

VICE CHAIRMAN BOATRIGHT: Tell them Karen said so.

MR. HARPOOL: Maybe you'd like to
make a contribution.

CERTIFICATE

I, Kim K. Meyers, a Registered
Professional Reporter, do hereby certify that
I took down in shorthand the proceedings based
upon DVD recordings made at the time of the
proceedings and that the foregoing constitutes
a true, correct, and complete transcript of my
said shorthand notes.

KIM K. MEYERS, RPR, RMR