

March 20, 2025

RZ-2025-693

Mr. Diehl gave the staff report:

The Applicant is Kansas LD LLC. The owner of the property is the Diocese of KC St. Joe Real Estate Trust. We're up in the north part of the county, above Salem East and Farview area. It's 117 acres. The request is changing from District AG, Agricultural, to District RU, and we're going to go with a planned designation for this. The purpose is to create 230 single-family residential lots. The zoning in the area is agricultural, residential, land use, single-family residents, and some agricultural tracts. The comprehensive plan was adopted by the County Legislature in 2012. This area is identified as an Urban Service Area in the County Development Plan, Building a Vision Together, and is an appropriate area for urban development growth. Full services are required within the Urban Development Tier.

The City of Independence currently provides water and sanitary sewer services to this area. The City has provided letters stating they will accept the role of serving and maintaining those services for this project. The Little Blue Valley Sewer District's Lazy Branch Interceptor runs across the east side of the property. That is the green line. So that's the sewer interceptor that goes out to the treatment plant. A traffic study was submitted and is under review. Lazy Branch Creek is subject to Chapter 241 of the County Code. 150 foot no-build-zone will be shown on each side of the creek. These areas are within the open space tracks. It should be noted that the requirements for open space fall within the guidelines of planned zoning. Open space is shown in the amount of 56 acres. The minimum requirement for 15% would be 17 acres. Open space allows for the reduction of lot sizes from the minimum of 7,500 square feet. They are asking for some of the lots to be a minimum of 6,500 square feet. Minimum setbacks for District RU is 8 feet. The plan zoning allows for some reduction in those setbacks. I believe in your packet there is a copy of the UDC that shows the table for those. The minimum frontage for District RU is 60 feet. The proposed plan illustrates the number of these lots with a width of 50 feet. Plan zoning allows for reduction in lot size and setbacks but does not address the reduction of lot widths. Lot 143 has a 10-foot drainage easement and a utility easement on the south, 15 feet. That would leave 25 feet. We did get some comments back yesterday from the applicant's representative saying some of those are going to be addressed with some of the revisions of the plat. Also, single family lot blocks require minimum yard setback increased to 30 feet on any lot or parcel boundary which abuts an Arterial or Collector street along the rear or side property line.

Salem Drive will be designated as a Collector and it will be designed that way as well. The plan is to take it all the way up to Union School Road. So that is going to function as a collector with an 80-foot right-of-way. The rest of the interior streets will be a width of 50-feet. They're required to put sidewalks on both sides of Salem. And on the other streets, sidewalks will be on one side or the other. They did address that with some comments yesterday that we got back about redoing at least six of those lots, widening out those setbacks.

This area is in the Fort Osage School District and the Fort Osage Fire Protection District. The County Engineering Division has reviewed the proposed construction plans. They will work with the City on the design and construction of the improvements, which would include any necessary easements for those systems as well as any detention or retention for stormwater. Any permits required for land disturbance from the Missouri Department of Natural Resources will also need to be secured prior to construction. This project will be developed in at least two phases. So basically that is the lot layup superimposed on an aerial. You can see they've got five tracks, I believe, of the open space, which would be, there's a retention one going here. We've got open space here, open space here, a little one there, and then on that side as well.

Mr. Antey: Okay, in the southeast, that little cutout, is that?

Mr. Diehl: That is a cemetery. It predates the Civil War. The oldest burial there is 1826 or something like that.

Mr. Crawford: this will be done in two phases?

Mr. Diehl: Yes, they may do one construction phase. The applicant or the representative can actually clarify what their construction phasing or how it's going to go. This is comprehensive of all the phases. This is the overall plan, and then maybe they build the first half and then the second half or the third half or whatever like that. So then those final plats will come before you before it's recorded for that particular portion that they've built.

Mr. Antey: And as a planned development, that is a special designation that can offset some of the lot sizes for green space elsewhere. And if the plan substantially changes, then it would have to come back before us to have those changes.

Mr. Diehl: There's a little wiggle room for, you know, once they get out in the field, they may have to move a road a little bit or adjust some lot layouts. At this point in time, they're locked into that limited number of 230. They cannot exceed 230. You can reduce it, but you can't exceed it.

Ms. Rykerkerk: The current plan is to retain the green space around the cemetery?

Mr. Antey: Yes, and around that creek.

Mr. Smead: It looks like they are encroaching into the lots with the stream setback. I just see this little note that says request 150-foot no-build zone modification.

Mr. Antey: That dashed line is your 150 foot setback. You see right there. There's a couple of them, it'd still be a no build. You're not going to put your house all the way back there. Yeah, so the dashed line here I believe is that 150 foot mark.

Mr. Antey: Any other questions for Randy?

The applicant or his representative, if you would please come forward.

Dan Foster with Schlegel, & Associates, 14920 West 107th Street, Lenex, Kansas. Kansas LLC is part of a subsidiary of that. I'm the civil engineer. He's the applicant's representative. I'm the applicant's representative. I work for Kalara which is also affiliated with the Kansas LLC so that's yeah so Kalara is the developer for this project for the single family residential. As Randy said the proposed plan does include 226 lots on 118 acres that are of sizes and and that's one of the things that they wanted to try to bring to this project was it makes it of different sizes of lots. The lots range from 6,500 square feet all the way up to 21,000 square feet. So, again, the average is probably around 7,900 square feet if you pick out some of the larger ones. As staff stated, our client is requesting that some of the lots have a 50-foot width, And if you actually read the code, he's correct. It doesn't say anything about the width per se that you can go down to 50 foot. But the first line right above the table says that, hey, in a cluster subdivision, I think is what it's called, the lot depth, the lot width, the square footage, et cetera, et cetera, can be adjusted. And that's by requesting that 50 feet. This plan up here, if I can walk over there. So this plan shows kind of that mix. So the kind of green, the lighter green lots here are the 50, and then the kind of more brighter green lots are the 60-foot lots. And so that kind of shows you that we're mixing them through this whole area here, and all of the 60s are along the adjacent neighborhood, Along the green spaces and then up there in that corner as well Randy also mentioned Salem Drive. That alignment is what is possible given the county standards for tangents and reverse curves and also given the site distance along Union School Road. That location is the location that we have to make that connection because we have adequate site distance in each direction. So that road is not going to or cannot really move because there's no way to do it and still meet all of the county criteria.

The property, as Randy mentioned, does have water and sewer access from the City from Independence. And so if you saw that first step that Randy put up, everything south of us is subdivision. And so what we're asking is to extend a subdivision up to Union School Road and the sewers and the water is available there. All streets and stormwater requirements of

the County have been met. And we are providing the collector, again, as required by the county staff. The developer has agreed to add a right turn lane on the Union School Road, even though technically in the traffic study and the traffic, the trips from this site wouldn't warrant it. The county has requested it. The County staff has requested it. And our developers agreed to put at Salem Drive a right turn lane there.

The project will be constructed in two phases. At this point, we don't really know where that phase line is. We haven't made that determination, so I don't have an answer for you on that.

The developer feels that this project does provide the housing products that are needed in this area. If you can go to the next slide, Randy, that would be great. In fact, what they're -- the next one after that. So, they offer an extensive warranty program as part of the home sales. And if you go to the next one, again, what they're trying to get to, they also offer hometown heroes discounts because this housing is designed to go for the active retired military, firefighters, teachers, health care providers, local government, employees, first-time homebuyers, empty nesters. So, we're trying to get a mix and provide housing options for all of the people in those categories and actually offer an incentive program for their home, what they call the Hometown Heroes Program. Back to the plan. Yeah.

So I did want to touch on one question that was about the corridor and maybe it's a clarification that I need to make with Randy. When we met with the staff because of the grade change between this stream and the lot being significant, i.e. 12 to 15 feet of grade change there, we talked about on these lots actually holding that line in since the flood water will never get there, there will never be really any impact on that lot. Technically yes that 150 feet does come into the lot if you were to measure it exactly. It does not affect the home itself but rather than have that be platted on the lot we were asking for that to be pulled back to the lot line and maybe I misunderstood what our conversation is.

So the other thing just to be clear that other access on Union School Road is also at a location that is needed in order to meet site distance in that location. We cannot move it any farther west because there's another hill there that creates an issue. Trying to move it farther to the east would actually put us too close to where Union School Road bends up and gets us down into an area where there's floodplain and where we need to provide detention.

I also wanted to clarify one other thing on this just to be clear. The open space is all of the green, this kind of green color that you see here. And at this track we will have open space around the stream corridor and around the cemetery. But there is a small amount of property right here that would be developable in the future if something came from the east

side here. And so we're actually showing that as both open space and a future development potential on that particular side. That's why that's colored a little bit different.

Mr. Crawford: How many acres are there?

Mr. Foster: I'm guessing that the developable area is probably 15, 20 acres.

Mr. Crawford: That's what I was asking. Thank you.

Mr. Foster: So, you know, again, once that develops, we will, you know, obviously be respecting the cemetery and everything. Actually, I think our developers had conversations with the cemetery folks already about, you know, that property and making sure that we are respecting what needs to happen there. So with this, the developer feels that this project provides the houses that are needed for the community service people, the first-time homebuyers, empty nesters, provides a good mix of housing that's not available in the area. If approved, the project would begin later this year, and I'd be happy to answer any other questions that you might have.

Mr. Antey: Is there an anticipated duration of the project from start to finish, build out, or whatever?

Mr. Foster: I'm guessing something like this would probably take three to five years by the time you're in there doing all kinds of stuff. But, you know, again, that depends on market conditions and what ends up happening.

Mr. Crawford: What's the minimum square footage?

Mr. Foster: 1,200 square feet for a small home, like a ranch style. That was kind of my question.

Mr. Monaco: If we're talking about empty nesters, first-time homeowners, what's the mean estimated sale prices? Anywhere between \$275,000 to \$400,000.

Ms. Ryerkerk: And the size range.

Mr. Foster: The size range, you said 1,200 is the minimum? 1,200 goes up to 1,400, maybe some 1,600. Again, that's some of what we don't know at this point because our client is the developer of the lots and the subdivision itself. Then what he does is has a package of homes or lots that he gives to a home builder to build. So, there will be a variety of builders in here or it could be one builder. So really, you know, trying to give you that information is just a best guess at this point.

Mr. Monaco: I was just trying to see if it was affordable for a new homeowner.

Mr. Foster: That's why they try to get under that 300 mark. But in some cases, that's still not affordable, but there's really no way to get down lower just with all the development costs and the house costs and everything.

Mr. Farrar: I don't think I've driven by this location. It appears that one of the exhibits showed what might be extensive development to the south.

Mr. Diehl: The New Salem development to directly to the South.

Mr. Lake: I have a question for Randy. Is that cemetery in a trust or is it privately owned?

Mr. Diehl: There is somebody here that could answer that question in more depth than I could.

Mr. Horn: So you said that this is going to be a mix of houses. Has there been any, and I know you said there's a traffic study, but for example, if there are families, Have you put in this plan where the bus stops are going to be?

Mr. Foster: Not at this point. No, we're not at that stage. More like sidewalks to make sure. Yeah, the sidewalks are shown on the plat, and they meet the criteria of the County. One on both sides of Salem Drive, and one sidewalk on one side of the local streets. And they all connect.

Mr. Lake: Do you have an idea of a general contractor?

Mr. Foster: No.

Mr. Antey: Are there any other questions for the applicant? Thank you.

There were none.

Mr. Antey : Anyone else to speak in favor of this application?

Mike Calvert, 420 North Pleasant Street, Independence, Missouri. I am president of the Civil War Roundtable of Western Missouri. We are owners of the historic Lewis-Gregg Cemetery. The cemetery, as we talked about earlier, our original burial there is Nathaniel Lewis, who is a Revolutionary War soldier. one of the maybe 10 that are buried in Jackson County. That was in 1826, so he was the earliest burial. This may be the second oldest burial site in Jackson County, one in Sibley, by the Fort, may be the oldest. We've been owners of this since 2006. It originally was deeded by Mrs. Lenz, who owned that property, to the Jackson County Historical Society. They decided that ownership of a cemetery was probably not in their purview. They approached us, and in the end, my board said yes. For one reason, there was an endowment of \$16,000 to maintain it that came in. And mowing a cemetery is not cheap, and we've done that faithfully for the last 19 years. It is not a trust. It

is an ownership. We are a 501c3, and that ownership, through a quick claim deed, came directly to us. And we have, as I said, maintained it since then.

Mr. Ryerkerk: What is the size of the cemetery?

Mr. Calvert: 50 by 50. Around 32 burials. We don't know the number of unknowns, obviously, but there are 32 that we can point to and find. We only, not only on the 50 by 50 foot cemetery itself, but there's a 50 foot wide road that goes all the way back to Blue Mills Road. The Greg family traces their roots back to the original founding of Johnson County also, along with the Lewis's.

Mr. Crawford: Do you also maintain access to the cemetery?

Mr. Calvert: We have had, over the last years, we have not maintained the access. We actually, because it has been in the church, we kind of had an agreement with the church that the farmer who rented that and farmed it, we would go ahead and let him use that 50 feet so we wouldn't disrupt his crops. But we also had the agreement that we could access that through that field. So we tried to, we didn't necessarily follow the same track all the way across because we tried to minimize the damage to his crops. But it was okay, the agreement between us.

Mr. Farrar: Is there concern that that agreement won't be followed as we develop it?

Mr. Calvert: I'm here really to just make sure that this commission and people understand the importance of that cemetery and to know that someone is watching it.

Mr. Monaco: We know what you're saying. I mean, I know the history of this. It's significant to me as a past president of Jackson County Historical Society, being a board member still, to preserve this. I do know that statutorily, if there is a landlocked cemetery, ingress and egress shall be provided. So my question, I guess, would be, going back to the applicant, and to understand better, the applicant is buying that big square, right, that whole green area, which does consist of the cemetery. Is that correct?

Mr. Antey: He won't be buying the cemetery. I understand what you're not buying, but it's landlocked. You don't buy 50 by 50 in the little exterior section around it, but everything else you're buying, right? So have you had discussions with the Civil World Roundtable about the ingress and ingress and the maintenance of that area to allow access to the cemetery?

Mr. Diehl: I don't think what they're getting goes into the access. So this little area right here, between there and Salem East is the access.

Mr. Antey: So they're not landlocked.

Mr. Diehl: So it's not landlocked. They still have this little tail that comes into that strip.

Mr. Horn: Yeah. I have a comment, too. It was brought up in some presentation. If someone developed from the east, that that could potentially be developed over. And, you know, I support the historical society.

Mr. Antey: Well, it couldn't be developed over the cemetery. It would be to the east of the cemetery.

Ms. Ryerkerk: I was just going to ask, what are the restrictions as far as any development? Does the county have anything?

Mr. Diehl: I don't think we have anything. It would fall back on State statutes.

Mr. Monaco: Like I said, the law is that there is a cemetery. There has to be ingress and egress. Even if I were to buy it and the Civil War Roundtable didn't own it, I would have to provide anybody in the general public access to go visit the grave, whether the relatives were not. That's the law. That happened to the cemetery in Raytown. That's probably what a lot of this is about today. It's the integrity of assuring that that cemetery is not compromised And that's why you answered my question about the ingress and egress

Mr. Calvert: Yes, and I did, there was a question earlier about if my group talked to the developer. Early on was Remax, I think, put the big billboard up, and I connected with them immediately, talked to them, gave them all the information that they required, so they knew what was there. And then, I don't remember his name, I did have a person from the developer call me, And we discussed the cemetery, and we discussed access. We discussed a lot of things. I said, well, until I see what you're doing, I can't answer your question. I said we, I did reiterate that we are by law and by ownership have access to the cemetery. Now, later on, having said that, without seeing the plat or anything else that might go on, we may be amenable to possibly changing that 50-foot tract so that maybe it follows more with a street line. The 50 feet is we want it, we need it to get there, but it could be changed as long as we always protect the cemetery. And I do not know of any kind of setbacks. I know of the cemetery over on 39th Street. There's a cemetery right in the middle of the subdivision there at the corner of 39th Street and Lee Summit Road that goes to the east. If you drive back in there, there are lots but the cemetery.

Mr. Diehl: There's a couple in Blue Springs like that too. The subdivision goes around, but the cemetery now has street access within that subdivision.

Mr. Calvert: That part about access you know of course we're watching and we get the notices all those kind of things it's something that I feel that not being hard-nosed about it but advocating we as long as we have access as long as some person is safe it is extremely important.

Mr. Horn: I just want to say that's my important issue right now I want to ensure that the cemetery you will have access to it because that will ensure that it's up kept. So that's, you know, I appreciate you talking about that, especially with the having significance in the county. I don't want this to be, you know, developed around and become inaccessible and forgotten.

Mr. Calvert: We have been asked in the past, why haven't we developed a road back there? Well, one is that we're a 501c3 and we, you know, need not be said anymore after that. Money is an issue, but we've also been extremely lucky over the last 19 years, that vandalism is kept to a minimum. Our biggest vandalism has been really just destroying a fence a couple times. Last time they took the panel out of the gate and walked under it, they could have cut the chain and opened the gate, but, you know, who knows. So we've been extremely lucky. It's a cemetery that isn't seen very much, and sometimes it's good luck. But we do have people call me all the time, can I get access to it, can I see it? I think my relatives are buried there. Or I just want to see this Revolutionary War soldier.

Mr. Lake: With your knowledge, is there any historical events that happened on this piece of property being Civil War or being Native American with the Osage Indians in that area? Because being in construction again, I work on a lot of sites that they do find artifacts. There needs to be a stoppage while it's being investigated.

Mr. Calvert: It is that piece that you see basically to the west of the creek and along Blue Mills Road a little bit further to the east, that section is not in this consideration. That is the northern end of the Union line at the Battle of Little Blue, October 21st, 1864. Anyway, that is an important piece of the action of that day because it goes from there over, which you don't see in here too, is the loss of Moore Home, which is about a quarter of a mile away, which is the center of the action that afternoon.

Mr. Lake: The reason I bring it up is because several years ago I was part of a team that, at the Battle of the Lone Jack, before they put that subdivision in there, on the Battle of the Lone Jack, we went out there and surveyed metal detectors, that type of thing, so that's why I asked.

Mr. Calvert: I would suspect you'd find the same thing.

Mr. Antey: And we appreciate your information on this. I do have one question of clarification. When we were talking about the potential for developing on the east side of this property, is that within the boundaries that we're talking about today, or is that to the east of those boundaries?

Mr. Diehl: So let's just say that the applicant finishes this and buys this tract.

Mr. Antey: That's a separate tract. That is what I'm talking about,

Mr. Diehl: This is the piece that's for sale is outside of the boundaries of what we are talking about today.

Mr. Antey: That's what I'm trying to clarify. Potentially if somebody developed this, it would have to come to us.

Mr. Diehl: That is correct. Any development to the East what's being considered today would be a separate action.

Mr. Antey: Is there anybody possibly present today that would like to speak, that is opposed to or has questions concerning this application?

Gene Place. I live at 19208 East Colony Court. It's a cul-de-sac that hooks on the backside. We're concerned, my neighbor and I, that the creek that runs behind us, Lazy Branch. I'm right here and Ryan is right there. The sewer is right here. Well, that creek right there, when I moved in 22 years ago, was two foot wide, a foot deep. Now it's 10 foot deep, 15 foot wide. When they built all the new home up on Salem, on the hill, all that runoff comes behind us. Well, all that water collects right behind our house in this low-lying area where the sewer is. And this creek here meets up right behind our house. So there is a flooding issue. It's about three feet. We're about three feet above the grade to come in our backyard. It breaks loose and goes across that sewer district, which is good for now. We've built bridges across the creek. Well, that's where we can. Because we actually own across the creek, too. And we've been maintaining all this back to this creek here for 20 years. So what we're saying is, is this water going to runoff come down to this creek? Are they going to direct us back behind us over here? Because we can't handle any more water.

Mr. Antey: What's the use of the land right now? Is it row crops? I will tell you that with the addition of sod and turf grass, Not only will it slow the runoff, but it will also reduce it because it will hold more of the stormwater back.

Mr. Place: When it comes, it comes hard.

Mr. Antey: The studies have been done that it does do that. Yeah, you're going to get runoff of the hard surfaces. However, it's not going to be nearly as bad as row crops.

Mr. Place: I disagree. Yes. It's going to run into the streets, and that comes right down the storm drain. That's the problem we have there.

Mr. Diehl: According to the submitted conceptual plans for engineering, all the storm water that's collected here is going to run up into a detention pond here. The lower end is not going to go down the storm drain. It's actually going to be channeled away. The

stormwater's not gonna come down toward him. It will go upstream. It's going to go north. And there's going to be a retention basin. There will be three or four retention basins.

Mr. Place: I've probably put 20 truckloads of rock behind my house, cause everybody up from Colony, or Lazy Branch up here, they got the deep cut in there.

Mr. Diehl: The stormwater will be channeled off away from that area.

Mr. Place: I'm good.

Rebecca Dye, 19202 East Colony Court. So I'm a few houses down from Gene. I'm missing half my yard. My fence is gone because of that creek. I've had representatives. I've had the Executive out standing in my backyard going, This isn't a person thing. I can't manage this. That storm drain y'all talk about is about to fall out. There's nothing around it anymore. It's gone. I can show you pictures and videos of my land over the last 20 years. Gone. They worked upstream when I bought this house. And I'm like, there is no way. I read the statute. I can't do work in my backyard because of the change in the stream, upstream and downstream. But yet the County did work upstream. I lost all my land. It's 20 feet from a porch, 20 feet from my foundation. I had the County out there. Yeah, this is our problem. Then they sent out bids for \$150,000 just to fix my land. Bids came back at \$350,000. And the County lawyer told us, better get a lawyer. Knowing full well, after two years I've been trying, no lawyer will take my case. What am I supposed to do? My house is unsellable. And now you're going to put this up? You're going to put all this concrete and you're going to do nothing about that creek? What about all of us? I'm going to lose my house and nobody cares. I've talked to everybody. I've talked to environmentalists. I've talked to County. I've talked to the City. Nobody cares. And I need somebody to care about us. If you thought we were all here because of the cemetery, I appreciate history. I have a history degree. I appreciate housing. I work for Habitat for Humanity. I understand the housing needs. I also understand that my house is worth nothing, and I pay taxes. I'm losing my house, and you're going to allow this to happen. I understand we need housing, but this is going to be a problem, especially if you're going to put this in and do nothing to mitigate the problems that have been there for 20 years and have been completely ignored by zoning.

Jean Garcia, 18908 East 22nd Terrace. I back up to the proposed subdivision. I will say several things. Of course, we're all very unhappy that we're going to be having neighbors, possibly. There's also quite a few considerations that have been going through my head. One is Salem Drive right now is a busy street. We have problems speeding right now anyway. it's going to become busier because nobody's going to go to Union School Road. I don't know what they're worried about there because the access is going to be out of Salem Drive. Union School goes that way that way it doesn't go the other way so we're going to be

experiencing everything up Salem Drive. The field itself two years ago was re-terraced. All the drains have been redone and everything. It drains great. It has no problem over there right now. Okay? Over there. That has nothing to do with these people. Don't get me wrong on that. These people still have a problem. But also, we've got eagles that we think started to nest up in there, but I haven't been able to walk out to get pictures. But we've got a set of eagles. I've got a peregrine falcon in my backyard. I've got coyotes, foxes. I've got everything that everybody could want, but also we don't have people that are gonna come and the green space is a creek ravine and it is where the animals are right now but it's a creek ravine and it is not it's not developable for them anyway. When I look at this and I said okay if I have to have a housing development behind me, what is that a trailer park? I mean come on that my lot is backed up to there and you can see that it's like wider almost almost double the size of that and I don't have a big house. I'm just saying I don't think we need it where it is I think that we need to keep some of that rural and that we need to take care of people.

Dennis Moore. I live at 35101 East Neil Chiles Road in Buckner, Missouri. But I own the property immediately north on the north side of Union School Road of this proposed addition. I've got two kind of major concerns, and not to beat a dead horse, but I want to reiterate the concern about the additional runoff.

Mr. Antey: Okay, that's already been addressed. And as I said earlier, we have heard that.

Mr. Moore: And I can give specific examples if you'd like to hear them, or I can stop there, whatever you'd like to hear on what's been done. You know, they had to, on north where Union School Road turns north, They've had to, the County had to replace the, basically the culvert that goes under the road in the past. The sewer district has also had to repair the manhole risers that are on my property that run adjacent to the creek because of the additional runoff. This has all been since the New Salem addition has happened. There's also significant erosion on my property adjacent to North Union School Road that has just gradually increased and increased. And all of this, in my opinion, is from the increased, you know, on high rainfall events, the increased water flow that has created, you know, in Lazy Branch Creek since this latest, you know, past development there. So I think there are specific examples we can look to that kind of show what has happened regarding that. The other question is, I know they said they were going to put a right-turn lane on Union School Road to Salem Drive. The other entrance down there, is there a plan to put a right-turn lane there would be my question. Also, are they going to put sidewalks on Union School Road adjacent between where this housing addition is? That road is, if you've not traveled, it is very hilly. There's little to no shoulders in a lot of places.

Mr. Antey: I believe what the County's requirement is the sidewalks will be on the roads that they are building. Union School Road would not be a road that they are building, and the backyards would back up to that.

Mr. Moore: So the increased traffic on Union School Road, I think you'll find it's going to be a danger, and there's going to be an increase in accidents based on the traffic that goes down Union School Road now. So those are my major concerns, I think, right now, and I would just want to go on the record saying I'm against the proposed development.

Mr. Crawford: Would you be kind enough to walk over here and point out where your property is on that picture? And also where that new culvert was put in. Also where the new culvert was put in by the county.

Mr. Moore: The culvert is right here. Well, that's there, but there's also... There's another one up there. Well, where Union School Road turns north. It's right here. Yeah, so the creek's here, but it crosses back onto my property right there. So the new culvert is basically right at the edge of the stream, and that's the one that was replaced there a few years ago. The property that I own is basically from this line all the way to that line. That's just a separate lot that I own all of that property.

Richard Thompson: I live at 610 Neil Chiles Road, but I own the property at 18106 and 18108 East Union School Road. Two years ago, we banded together as citizens out there to stop the quarry that was proposed being built behind. The white area right here that you see is owned by the rock quarry as a future access from that quarry. Would the developer be required to tell the folks, hey, there may be a new rock quarry on the backside of your property? It seems to me that's an environmental concern and a concern for any homeowner that would be, and the Planning Commission itself.

Mr. Diehl: That property is inside the city limits of sugar Creek is it not?

Mr. Thompson: Well, there's a disagreement. The former City manager told me it was, and the neighbor lives next door says no.

Mr. Diehl: This map is based off the tax maps that that's right out area is actually a city limit area. So I think that area that they were looking for the quarry at was all inside sugar Creek.

Mr. Moore: That was my understanding So, you know, that in some ways takes it out of the purview of this group. But I know we fought hard to not have a rock quarry in the back of our yard. All the semi, you know, how many hundred semi-dump trucks that were going to run up and down that road. So if that comes about, you're going to have semi-dump trucks running past this addition.

Jim Jones and I live at 18300 East Union School Road that's just west of there. I presume that the roads are supposed to be 28 feet wide, curb to curb in the county and the city, is that right?

Mr. Diehl: Are you talking about Union School or the interior?

Mr. Jones: No, I'm talking about all the rest of your new roads that you put in.

Mr. Diehl: There's a minimum right-of-way, but I can't remember what the curb to curb width is. They have to be built to standards that we have.

Mr. Jones: Okay, I live on the widest part of Union School Road. It's 20 feet wide. And the narrowest part goes clear down to about 18 feet wide. And you meet two trucks along there, you've got two mirrors that are going to either hit or they're going to have to run off over the white line. I was meeting the school bus one day, and the school bus was stopped, and I was stopped behind there. And that school bus motioned me to go on after they picked up the child or dropped the child off. I don't remember. And I said, I just shook my head no. And so that school bus had to crawl over the double yellow lines because there was no, the white line was missing because there was no road there. And so I just, you know, if my road is, my wide spot is 20 feet, we're the rest of them. And we have to slow down for the school buses and pull over because the road isn't widened. The road should be wider than that. But anyway, I was going to say that the excess traffic along there, I suppose whoever's going to develop is taking traffic checks on that road, see how many cars go down that road. And I've never seen any strips on the road to test that, so I guess that hasn't been done. And homework hasn't been done on that.

Mr. Diehl: There is a traffic study. It's under review with the County Engineering Department. Dated December 2024.

Mr. Jones: There were no strips.

Mr. Jones: Along the creek down there, I've seen water over the road three or four feet. And after you get all these houses in there, it's probably going to get up to five feet. And then I had my wife and four kids were coming out of the driveway one day, and it's a hilltopping road. Kids are going to do the hilltopping deal, and there's been several people being killed on that road. And that one guy was the insurance company said after he slid 225 feet and slammed into my wife and totaled out our van, and he was going about 85 miles an hour. And nobody, there's, you're going to have probably 500 more cars in that area, and when you've got 500 more cars coming down Union School Road for everybody going to work, you're going to have a real, a lot of traffic, And those people, a lot of those people are going to be late for work. And they're going to be speeding. And then we also have a lot of four-wheelers and side-by-sides going down that road, too. And I pulled out. I got a dually

pickup. I pulled out. I got a big flashing light on top of my pickup. I pulled out one day to go east. And I had the guy coming over the road, there was nobody there, and I pulled out. He gave me one second or one and a half seconds to do something about getting out of the road. He was sideways with his pickup trucks sliding down the road. And I pulled out, and we just missed each other. And so the Union School road isn't made for traffic. It's an old cow path. back in the old days, and that's the way it was. As far as cemeteries go, you realize how old this cemetery is that they're talking about. You realize how many people are buried right up around that fence. There are gobs of people buried around that fence because that's how people back in those days did things. They weren't allowed to put them in the cemetery. They put the burials around that fence. And if you go to start excavating and stuff, you might find it like this Franklin Cemetery over on 24 Highway. They, years ago, they buried that cemetery. It never was recovered or anything. And they put the water line in over there by Ferguson Springs Road, and that's where the cemetery is, where the cedar trees are. and they never they put the water line in they dug up human bones but the water line in through the human bones back in and that's the way they treat it and they it was reported and historical society says well we can't do nothing about it. So we're getting in in a different territory we don't live like they used to back in the old days so that's pretty much what I I've got.

Gary Wheeler 18 510 is Union School Road. I live like everybody on Union School Road along the stretch on the north side. I'm down about three to the west about three lots and all the lots over there on the north side are about 1 to 25 to 100 acres. I know most of my neighbors and heard some of them just speak we've lived out there many years half our lives or more for most of us we didn't move out there to live in the city or with a subdivision across the road from us. We like the agricultural area so it's going to impact our aesthetics to put it kind of mildly. I mean we like the agriculture. I like seeing, I walk down that right by that about every day and I love in the winter and spring and fall seeing hundreds if not thousands of geese bedded down in that field, you know, during their migrations. The traffic safety has been mentioned, just to add. Those rolling hills, you only have, like Mr. Jones just said, in that accident his wife had, even if somebody's going to speed limit, you only have about 100 feet of vision to see somebody coming over a hill before you can see that they're there. It is really risky just to pull out of your driveway onto that road, even if people are going the speed limit, because I've seen it happen a few seconds after it happened, for accidents, cars left the road to avoid accidents. So just that margin is really scary. I had a question. Has the land already been purchased? Is the purchase finalized?

Mr. Antey: I don't know the answer to that, but we'll address that. The applicant may be recalled to respond to questions. I'm trying to get everybody to get their say in. So I'm not going to recall the applicant every time a question.

Mr. Wheeler: Okay, but that will be dealt with in this hearing?

Mr. Antey: I'm not 100% sure whether it has any bearing on who owns it at this point.

Mr. Wheeler: If the developer owns it. Then the question about if this is approved will also be addressed if they're going to inform the buyers of these lots about the mining area across the road from them. That will also be addressed?

Mr. Antey: We can ask the question, yes.

Mr. Wheeler: I'd like to hear that answered also. The last thing I have then is the current housing area already impacts us along that road, the Salem, New Salem area. And the last two things. One, the runoff, I guess it was addressed on the south side and maybe partly on the north side. But there is runoff, I mean, the watershed is going to impact me on my place. In one ravine, when there's heavy rains, I already have runoff that gets 8 to 10 feet high in this ravine. If there is more runoff on the watershed going to the west, and it'll drain toward the north, everything goes toward the Missouri River about a mile from the north of here, that will be an impact also. But back to the residential area, apparently some youths from the Salem East area already are having, have had for years an impact along this. A lot more houses, I just assume the impact is going to be bigger. Example, this area, this is a huge pasture to the west. A farmer just this past week, I think about one or two days ago, moved about 100 head of cattle off of that because right there at that property line, repeatedly for a long time, a few years, I don't know, maybe forever, but the vandals cut through that fence and have left his 100 head of cattle out, and they've been right on that development area. Fortunately, we called him and the cattle were able to get back in before he lost hundreds of thousands of dollars worth of livestock. The point is, the vandalism, the four-wheelers, he just moved about 100 head off and out of the county. Because he lives up north of the river. So he moved them to another location, apparently out of the county. So I like the agricultural use. Thank you.

Gary Dixon, I live at 2208 North Ponca Drive, and I promise to be brief. I understand the idea of the agriculture and all this, and you're talking about Union School Road and more traffic. It's not good there. But what I think we really need to reiterate is the fact that we're going to have 500 more cars in a subdivision. Because they're not, you know, Salem Drive is going to go all the way from Union School all the way through the subdivision. People are going to, the closest exit is out Salem Drive and through and into the subdivision and right there at the Little General where it hits 24 Highway. We already have issues with the amount of cars and the amount of people and this and that. You add 230 houses, 500 cars. It's just going to get worse. We're going to kill some kids. We're going to have problems. We're going to have construction. The construction equipment is going to go up there. We're going to have

problems with the city roads, maintenance and upkeep and that type of thing just to keep it going. And I don't believe this is our best option.

Gary Mannering, 18308 East Union School Road. I live between Mr. Jones and Mr. Wheeler. And the road is a roller coaster. I have two houses east of me. On the bottom of the hill, there's a lady that babysits. And every afternoon, a school bus drops the kids off at her house. And sometimes every week, every other week, I hear people slamming on their brakes. I hear the brakes lock up because it's a blind spot where they let the kids off at the school bus. And sometimes there's a couple times that cars went over into the fence to avoid the school bus. And we've had teenagers killed years ago. We lived there 42 years thinking we were in the country. But every morning and every afternoon, it's rush hour. And they fly. They fly on it. It's terrible. These 230 houses, if they have a job it's two miles straight east to 291 and make even need to go to I 70 or 210 they're going to be going Union School Road to work to get access to the highways. It's horrendous, it's horrific now.

Denna Baker and I live at 18909 East 22nd Territory. I live in Salem East. My house is right here. I live on the street right here. Salem Drive is, like they said, I don't want to repeat what anybody said before me, that's the only way you're out. Union School Road is not an option at all right up here. It's not an option for anybody to go in and out. So it would be Salem Drive. My nephew went through the windshield, the hill jumping thing. It's real. That if you guys, I know you consider him to listen to us talk about it, but if you went there and you could see for yourself what my neighborhood is like. I can't even dream up a worse place to put a subdivision and put more housing. It's that bad. It's a terrible life. And you have to see it. I can't even express. You have to see it and see what's going on there. Go down 24 Hwy, turn to the Little General, go to Salem Drive, drive to the very end of Salem Drive, and look. You can imagine the water runoff. You can imagine, like, this would be a horrible place to extend the area. You'll see what's going on there. There is no street lights. It's county, and the fact that it's county, there's no street lights. There's nothing. It's a terrible place. The in or out, this is the way in. Union School is kind of an option really in and out. I mean, it's a little country road, little tiny country road and ditch on the other side. That's it. The wildlife there, amazing. Wildlife is incredible. The head of cattle and stuff they're talking about over here, cows and stuff like that over there is great. This area is down over here with the water runoff. We've got, I see the water running down my street. You know, it's just the whole thing is just bad. The cemetery I get is bad. And I don't want to go on and repeat myself or repeat whatever people said. I absolutely am against it, completely.

Mike Farron. I live at 18900 East 22nd Terr North. A lot of this has already been discussed, but Salem Drive is going to become an interstate. You talked about sidewalks on both sides

of the road. On Salem, yes, and the rest of the subdivision just on one side. So a lot of these people are going to lose the front of their yard then.

Mr. Antey: Well, that's part of the plan. But that has been proposed, then to put sidewalks on each side, correct? It's going to be required to have them on Salem. It's going to be required.

Mr. Farron That's going to affect a lot of people as well. There already have been a lot of accidents on Salem. kids getting hit on their bicycles. I mean that's definitely a concern. There's a lot of school buses. The water runoff, I know it has been addressed, but I don't believe you realize the severity of it. Union School Road, I've seen it underwater. I've been there since 2003. It has been underwater. Are they going to put pump stations in or are we pumping water to put water uphill? Are we putting pump stations in in order to do that and into the sewers?

Mr. Diehl: Are you talking storm sewers now?

Mr. Farron : Both.

Mr. Diehl: Well, the storm sewers won't have pumping stations, and I don't believe it will all be just curb outlets and go channeling to a detention pond.

Mr. Farron: Because right now you're going to have laterals uphill? Or I guess you're just going to go deeper with the laterals?

Mr. Diehl: That's all going through the engineering department to make sure that those plans are addressing those types of things.

Mr. Farron: And as far as the road study, I mean, I don't know. Obviously, you haven't drove down Union School Road. It's washed out. It's the worst place you could put a development. I'm just against it. And I appreciate the time. I mean, there's only a quarter of people that are against this. I wish you could have had it the next hearing maybe when people are off work and be able to express their concerns because there's a lot more people that this affect than what's here today.

James Smith, 19502 East Colony Lane. Okay. I live right up where the cemetery is. If you come straight down from the cemetery, we own, me and my neighbor own houses right up on top of that hill. So if you're saying the property hasn't been sold yet, I'm assuming, why didn't it stop at the creek and leave the rest of that as agriculture instead of making it behind our house residential for future stuff? Does he have the right, if this gets approved, to put a bridge right over that creek and then start putting houses everywhere around that cemetery and behind our house and everything?

Mr. Antey: Plan development, he cannot do anything without coming before the commission and going through the whole process again.

Mr. Diehl: If that layout changes, they're going to be here.

Mr. Smith: That layout should go to the creek. Because if you wait on something to come from the east, that would have to come straight off Blue Mills Road in the open. Right. And if that comes in. And that's where that historic battle was.

Mr. Diehl: And if that develops, they'll be here.

Mr. Smith: I'm just concerned because me, myself, and a few others on that road, the only reason we built our houses on that road was because we wanted that field behind us. We didn't want to see somebody sitting on their deck in their underwear smoking a cigarette. We wanted to look outside and see the turkeys and the deer come up from a bird feeder and all that stuff. But if it comes to that, I'm afraid a lot of people just sell their house and just get out. And especially if they put low-end housing in there somewhere, that ain't going to happen. I mean, that's just ridiculous. Our \$400,000 or \$500,000 houses will go down. So that was my only concern about that property line going all the way out there because it just seems like it would be too easy for him to come out and take Colony Lane and make a paved road right there and boom.

Mr. Antey: Well, that couldn't happen unless they came back.

Mr. Crawford: Before you sit down. Your opinion, what's the median price of houses in that subdivision you live in right now?

Mr. Smith: I think the one across the street from me just sold for, it was a brand new build. It was \$350 or \$375, I think it was. All right, and so, well, you say, I would probably get rid of my house right now for \$400 easy. So if something goes in like that and drops our level down, kind of like they're doing behind Little General up there, Everybody's houses just goes to dumpy.

Mr. Smead: How about your lot sizes and the area around there to the south?

Mr. Smith: I have a larger size lot.

Mr. Smead: What, like a half acre?

Mr. Smith: My house is right here. It's a brand new building. I built this in 2018, and the reason I built it was because of the field. I got tired of seeing people behind me. The width is 75.

Jean Garcia, 18900 East 22nd Terrace North. Just want to add in that they're talking about the area around the creek, where the green area is supposed to be. A lot of kids go out there and hang out. It's going to be a lot worse with more kids. There's going to be trouble there's going to be more trouble. I don't know what anybody's thought about in the future that if this goes through of course the city's going to want to incorporate it and we're going to go through all that big fight again. We've been fighting to stay country, Jackson County for a long time.

Dennis Moore. I live at 35101 East Neil Chiles Road in Buckner, Missouri. I have a property that's immediately to the north in the subdivision. One thing I forgot to mention, and I don't know if this comes into play, but there is a current study, I don't know, from the Mid-America Regional Council for the extension of Little Blue Parkway that shows that parkway going through that proposed subdivision. Okay. I think that should be taken into consideration.

Gary Wheeler, 18510, Union School Road. He just said what I think needs to be brought to your attention, that Little Blue Parkway.

Rebecca Dye, 19272 East Colony Court. I invite you all to my property.

Mike Farron. I live at 18900 East 22nd Terr North. It wasn't brought to the attention that I'm aware of, of the proposed landfill that they are trying to put. It's going to be in Sugar Creek, but it's just right across the road from Union School Road. So I don't know if the new residents are aware that they're trying to push that. T

Mr. Antey: Would the Applicant's representative please come forward? Okay. You heard some of the questions.

Mr. Horn: I have questions for the applicant. First, you know, has your plan accounted for any of the flooding that folks have talked about?

Mr. Foster: Yes, I have.

Mr. Horn: Because that's my biggest concern. If the County, you know, from what I heard failed them, putting a development is going to exacerbate the issue. So what is this development going to do? If it's brought forward, you know, if it's pumping the water up rather than down, then that's my biggest concern. Because you have to develop regarding the current conditions there.

Mr. Foster: We have a number of basins. We're required by County Code to meet certain stormwater requirements. And I will tell you that the requirements that we have to meet today are far more stringent than the requirements when the subdivision to the southwest were in. And unfortunately, that's part of the issue. Requirement number one is that we

have to meet the stream setback. From the stream edge to the setback we have a hundred feet on each side so we have no house closer than that. That allows for the drainage corridor to not be filled developed. Unfortunately, I can't do anything about it upstream where a house was built closer than 100 feet. That ordinance was afterwards. The county enacted Ordinance to help prevent that kind of situation from happening in the future. Second thing is we have to meet stormwater detention requirements, meaning that we have to collect all of the additional runoff that this site will develop, put it into the detention basin, and slowly release that out so that we don't end up basically having the additional runoff, just hit the stream and run down to be somebody else's problem. We have a basin here, here, here, and here. We have four basins, and we're looking at another one right here, primarily just to capture the rear yards of these lots. All of these will drain, all of these streets will drain away from the subdivisions itself. All go to the basins and wait, not anywhere near that. The other thing that these basins do is it also helps with the flooding condition at Union School Road.

Mr. Horn: And my second question, too, because it was brought up to a public comment regarding, you know, it sounds like that main road has a drop-off regarding school buses. Again, my biggest concern is if you're going to put close to a minimum 100 more families, that's going to be probably 50 more children there. So my concern is how is your plan going to account for more bus stops, more children, more families there? And that is my biggest concern as well.

Mr. Foster: We don't control the bus stops. That's the school district. And so we really don't have any say in where they make the stops.

Mr. Horn: But should you develop taking into account children's safety?

Mr. Foster: We do in our subdivision because we provide, as required by the County, again, we provide sidewalks on both sides of Salem and sidewalks on all of the interior street that children should be able to use and walk to wherever that stop is. We can't control where the bus stops, and whether it's on Salem Drive. We don't control where it stops on Union School Road. We don't control any of that. So that is totally up to the school district. So if there is an issue there, the school district should be made aware of it so they can make an adjustment as necessary.

Mr. Monaco: Let me just ask a real simple question. We're all concerned, I mean not all, but large of them have been concerned about safety on the north road and Union School Road. Has the report from the Highway Commission, who's ever doing the road study? Has there been a resolution, any results that we can be aware of?

Mr. Foster: Yes. I was just looking at that because I had a copy of it. What we found in the existing condition was that in the AM and the PM, there are approximately 30 cars up and down that road. That's in the AM and PM. I don't know if it was a physical person there or whether they had one of counters, but that is the report that it says that. I have to believe that that's based on a professional traffic engineer. From that standpoint, if you recall in the presentation, I said we've located these entrances. I heard a lot of questions about site distance. These are located on the high point so that when drivers come out, they can see a minimum of 325 feet in each direction. That's the requirement per AASHTO, which is the standard traffic manual for determining site distance. That also means that people are coming up and down Salem Drive so that they can see, as they're approaching these intersections, people turning onto Union School Road. These two entrances should not pose a problem as far as site distance goes. I can't speak to other driveways or anything like that. I can definitely see where there are some driveways that would potentially have a sight distance problem.

Mr. Horn: I thought so you're speaking from the traffic study I thought you said that was still under review?

Mr. Foster: The County is reviewing it. We submitted it to them once and then they came back with comments and then we resubmitted it back to them. It is still under review of that but it has been completely fully prepared

Mr. Horn: I'd like to see the traffic study you know when I served on the Blue Springs Planning Commission I didn't vote on anything until I saw the traffic study. We can't just plop things not knowing how it's going to impact people. My biggest concern is it sounds like there's a lot more, you know, issues in our answers today and that's my biggest deal. I don't nothing against you I don't like people tell me what the traffic studies is. I read our entire packet and I'd like to read it myself. I am very very concerned about this you know my parents went to Fort Osage, this is where I grew up. We've held agenda items for single family and this is a very big project.

Mr. Lake: Who did the traffic study? Is it a third party?

Mr. Foster: We hired our traffic consultant.

Mr. Lake: I have trouble with you hiring your own.

Mr. Foster: Your city your city engineer and your traffic folks are also reviewing and confirming the review of your traffic study.

Mr. Lake: I would like to see an independent third parties.

Mr. Horn: Does the City or the County usually do their own?

Mr. Diehl: We don't do our own. The developer or the applicant would provide that to us for review.

Mr. Lake: I have a problem with.

Mr. Foster: That it's usually how it done. Because somebody has to pay them. If you're not paying them and if we're paying them then and you don't like it. Because you're saying because I paid for it you don't believe it. That's essentially what I hear he is saying.

Mr. Lake: I'm questioning it.

Mr. Foster: You got to understand that that's prepared by a professional engineer putting their seal on.

Mr. Lake: But you're paying.

Mr. Monaco: That's the case all the time.

Mr. Antey: It's a third party no matter who pays for it.

Mr. Lake: I sit on the Fire Board, and I hear the same thing on my Fire Board. We pay for people for studies, and I question those people because we are the customer. You are the customer. If the County or any municipality needs to work out something to get a real third party there, I think that's where we need to go.

Mr. Antey: There was a question proposed to you about whether the sale has already gone through. That is neither here nor there as far as that, but if you want to answer that, you're more than welcome to.

Mr. Foster: It's got a contract for purchase. It's under contract, okay.

Mr. Lake: So is the contract with the individual party or is it with the corporation?

Mr. Antey: The Diocese and the developer.

Mr. Lake: Is the Diocese based in Arkansas?

Mr. Antey: The Kansas City - St. Joseph Diocese.

Mr. Lake: But I look through the documents, and I see stuff out of Arkansas, Oklahoma, you know.

Mr. Horn: I also wanted to see that, too. I didn't get a chance to read that. We usually get to read that in the entire package.

Mr. Foster: It's a recorded contract. The person who signed the application is out of the Arkansas office, but they also have offices here. They have offices in Oklahoma.

Mr. Lake: So why don't they put down the local offices on this instead of?

Mr. Foster: Because the person who is overseeing all the development is out of Arkansas. We can give you the local office information that's not a problem.

Mr. Horn: We're appointed to be on this Commission to move things forward. A lot of us you know care first about the residents and a lot of us are residents who either live in unincorporated and the east. We're not here to defend the County, so if there seems like there's a little irritation from us, it's because we really want to make sure we're understanding if we're moving things forward it's in the best interest of our residents and our neighbors. If there's any anger coming from this side of the table it's because you know the County has not been the best to the residents and we want to make sure that that's not

Mr. Crawford: traffic study was 30 cars a day average existing right now. Is that correct?

Mr. Foster: Yes.

Mr. Crawford: Is there any estimate when you open these two roads what it would increase to?

Mr. Foster: There is and I'd have to look at it to see what it is. And what we also did is we accounted for traffic coming from the existing subdivision, up Salem Drive. And keep in mind, Salem Drive through the subdivision to the south, is a collector road. So the whole purpose of a collector road is to take all of the local residential street traffic, put it on that road, and send it to an arterial. Existing site plus was 110 is what I see on it.

Mr. Crawford: You're going to go from 30 to 110 a day. Okay.

Mr. Foster: That's AM-PM peak. That is not the total across the whole day.

Mr. Smead: So it's like a per hour?

Mr. Foster: Yes, during rush hour in the morning and rush hour.

Mr. Crawford: It'd be like from 4 to 6 in the afternoon and then possibly from 7 to 9 in the morning.

Mr. Foster: One hour between 7 and 9 a.m. and one hour between 4 and 6. That's just one leg of it. That's the highest leg at the intersection. So there's other, but they're lower numbers.

Mr. Crawford: And also my second question I have for you. I'd like to go back to the runoff issue. Right now, a good portion of the property does drain to the south. Is that correct? On the eastern side?

Mr. Foster: It all goes north. North and east. Everything goes from the outside to that creek and goes north. There's nothing that's going south.

Mr. Crawford: So, it has zero effect on the subdivision to the south. Is that a true statement?

Mr. Foster: I would say that that would be a true statement because, again, everything is getting into the creek or being detained. We're not sending any water to them at all.

Mr. Crawford: It's running towards the river. It's not running to the south, then it turns back to the north.

Mr. Foster: It runs up towards Union School Road. I mean, I can tell you the elevations of the county. Here's the contours. It's all going away going this way.

Mr. Crawford: Everything that happens here has zero effect on this?

Mr. Foster: Yes. All of these storm pipes are going to these basins. This creek is coming around the corner like that.

Mr. Crawford: It has zero effect. All your designs here, does it slow down the water that comes off from this property that goes under the property adjacent to the north?

Mr. Foster: It doesn't slow down the water coming off from the off-site, it slows down our water off from our subdivision. It collects water in these basins, off from these storm pipes, and then into the creek that then flows down that direction.

Mr. Crawford: All right. I understand.

Mr. Antey: Are there any other questions that the applicant has not done?

Mr. Farrar: As part of any of the studies, I've noticed that they were here very much in disagreement with 30 cars today at certain times today. But as part of the studies, did your people who gathered information talk to adjoining property owners, like the people that are here today, and would that be in the report?

Mr. Foster: No, they do not have any conversation because that's not a normal scope to go out and speak to people. They go out on a school day and either have a person in place, marking off, you know, When cars are going what direction they're going all of that stuff. It's not a normal practice to go out and talk to people. Because honestly I'm what I'll tell you is that perception of what traffic is versus reality sometimes doesn't line up. I may think that my my street has high traffic and it has ten cars Well, that's in my mind, it may be high traffic, but in the traffic study world, that's a pretty low volume of traffic. That's what the street is designed for. They will they do not go out and talk to anyone.

Mr. Antey: Okay, are there any other questions for the applicant

Jean Garcia, 18900, 22nd Terrace North. Two questions. One, was the study done for Salem Drive?

Mr. Foster: Yes.

Ms. Garcia: Are there numbers on that?

Mr. Foster: Yes, there is.

Ms. Garcia: The second question is the drainage ponds. How do those work?

Mr. Antey: The drainage ponds, we just went over that. They are strategically placed to where they are capturing the runoff from the development. It's not capturing the runoff from outside the development. It's just capturing the runoff. It is designed and engineered to retain the water and release it slowly. The water will come into those detention ponds and then release slowly out of them over the course of, you know, after a storm event of, you know, several days or what have you. So that has been engineered to do that. And what he was showing on the big plans was the contour lines because the topographical contour lines on the plan shows the elevation of the land. And it goes to the north and a little bit to the east. And in that area, stuff is flowing to the river.

Ms. Garcia: I was just wondering how they drain and if somebody upkeep the pond areas.

Mr. Foster: Yes, there's regular maintenance on them. Depending on if the County requires them to be stormwater, BMP features, which I know that's a technical term, Basically, lack of a better term, a natural area to not only provide stormwater quantity control, but stormwater quality, then they would potentially have native grasses in them. But for those that are not already had, they would have normal lawn turf and would be mowed on a regular basin. It all depends on ultimately what that function is in that basin, whether it's just quantity or quantity and quality.

I would entertain a motion to take this under advisement.

Mr. Lake: So moved.

Mr. Crawford: Second.

Mr. Antey: It's been moved and seconded. All those in favor of going under advisement?

All: Aye

All those opposed?

There were none

Mr. Antey: We are under advisement. Under advisement means that the conversation now happens from this side of the table back. We've heard all the public testimony, and we can discuss this before we vote on something.

Mr. Ryerkerk: Was there a staff recommendation?

Mr. Antey: There was not.

Mr. Horn: I guess I'll go first. I personally think we should vote this down. I think that my biggest concern is, you know, I'll be honest, you know, I was blindsided by a lot of the comments that came forward from the community. And it fits. I know Randy usually makes sure we're well prepared. I don't know if this is on an applicant or who it is. But this project is not where it needs to be. And I'm concerned with moving this forward and reducing people's quality of life. I'm moved from even holding this. I think it needs to be voted down and resubmitted with the critiques that folks have obviously made clear, so much so that they had to come to this meeting and make that clear to us. I think the applicant needs to either resubmit this with amendments so that hopefully the community gets behind this or whatever that may be. but I am a no vote on this. I hope others will join, but, you know, I just, I'm, and it's tough. You know, I have two economics degrees, and I know that we need more housing. That is 100% the issue right now. I initially came to this meeting thinking I wanted to vote for this because I know we need housing in this County. But I've completely changed on that. So that's all I have to say.

Mr. Farra: I'm very much in favor of the revenue that would be received in this area because of the development and new homes. However, I am just so concerned about what is commonly referred to as riparian rights. If someone converts water, it changes the course of the water, corrects the speed, the volume that's not fair to the downstream. I have not been convinced today in this limited time that these basins are going to take care of them.

Mr. Lake I drive I go to these things. I feel that's our responsibility. I mean, you've all been out there, but they're absolutely right about the creek, the damage it does, the road conditions. You're absolutely right. You know, I went out there to look at it. I try to go, every time we have these boards, I try to go by everywhere. I live on a farm, you know, grove, so I feel for it. All right. Secondly, I have concerns about the cemetery being a Civil War reenactor, a historian of keeping integrity Native American sites and Civil War sites and stuff like that. If we had additional houses around a cemetery, they do get vandalized. Sounds like this one hasn't been vandalized too much. As this board knows, traditionally I support the citizens of the community.

Mr. Stead: I have a lot of empathy. Like my personal house, there were cows across the street when I moved in. Now there's a house, so I have some empathy for that. My concerns

are mostly around the density of this. Not that it's a housing subdivision. It's just the density here. It is ag now, ag around it, and we're going to one of the most dense things that we can do. So my concern is around the density as opposed to that it's existing or not.

Mr. Crawford: I listen to everybody here, try to. A lot of people had concerns here with the runoff. The ones who really had the serious problems with the runoff, unfortunately, they're upstream. And this subdivision had nothing to do with it. The second thing I had a major concern was the road to the north. Union School Road. I'm just not sure the County has the infrastructure to handle any additional traffic on it. And that's probably my sole thing right there, my sole concern on this whole project.

Mr. Monaco: I empathize with people saying they want to keep agricultural land sacred across the street. That's what we did in America throughout the country, keep going west, right? And where we were once agricultural and we're in the wilderness, now we're in downtown Kansas City. No disrespect to you all, that argument doesn't even resonate to me. Because that's going to happen. Somebody's going to develop this land at some point. I agree with everybody, however. I am not convinced that I have enough information today to know about the safety component of Union School Road. That, and I agree, I'm sorry about your property. I have representing clients who have the same problem with the City and the County, and no one ever wants to help. Okay? So I get what you're saying. As an attorney, I get it. We need more information. I would suggest that we not vote today. We continue this to get another study or more information. If we can't do that, then I guess it's probably going to get turned down regardless of how I vote.

Ms. Ryerkerk: I have similar concerns on the traffic issue and we're what, conduplicating, potentially the traffic that's hitting that road that's already been described as dangerous, and the density issues.

Mr. Antey: I live in a place where I've got a farmer's field behind me. Love that. Look over the Lone Summit Ranch and stuff like that. When I moved in there, I was told, oh, yeah, there's no plans to develop that, which was not true. But the thing is, if you love the view, you've got to buy the view because somebody else has a plan with that land. You know, and that's the thing. And everybody wants to move out in the country. All these houses here could have been part of a battlefield as well or whatever. This is in the urban development tier of the County. The, you know, basically it's just adding another section of Salem. How many houses do we have in Salem right now?

Mr. Diehl: There's just a little under 2,000.

Mr. Antey: You've got 2,000 in there already. So, you know, I've heard stories, you know, from you guys. Some people think that all the traffic is going to come south through the existing

subdivision and their children are in danger of car versus bicycle. Then I hear on the other end that it's all going up north to the horrible road up there, and I haven't been up there in a while and driven that particular road, I have been through the Salem subdivision, but the road sounds terrible. I would, you know, pass or fail or whatever happens today. Squeaky wheel gets the the grease. And if you've got problems with your road flooding, washing out, whatever, be relentless with the County and call them. I mean, you know, the more noise you can make, the more they're likely to hear it.

Mr. Monaco: Let me ask a question. Can we just pass on this today to give more information?

Mr. Antey: When a motion comes to and put before us, so whoever makes the motion, they can move to approve. They can move to deny. They can move to table it. They can move to whatever they want to do. If we truly want to see more information, I would say we table it to a date certain and request more information.

Mr. Monaco: That's my motion. I move that we continue this matter to get more information, especially with respect to the traffic study.

Mr. Antey: Continue to a date certain of when's the next meeting, Randy?

Mr. Diehl: May 15.

Mr. Antey: It's been moved to continue pending more information until a date certain of May 15th, The third Thursday in May.

Do I have a second on this motion on the floor?

Mr. Smead: I'll second.

Mr. Antey: It's been moved and seconded. Discussion?

Mr. Horn: My only concern is if we have another meeting, the time should be moved to be more equitable to people who are in the neighborhood so that they can show up.

Mr. Monaco: I don't think there'll be any more public testimony. I mean, we're under advisement.

Mr. Horn: If we're going to hold this another agenda, I think we do. Or this decision needs to be made today.

Mr. Lake: I would agree. Because in the past we've done this, and you was on the board, when we moved it to a school for the public to talk to them to make it more convenient at the evening. Years ago, with the quarry, the board went to an evening meeting at a school so

the public could be heard. I personally I'm not in favor of continuing it I think the applicant should have had ducks in a row better coming to this meeting.

Mr. Horn: It's their job and they're getting paid for their time here people get off of work and are here for free and if we're gonna make them do that again, I think we should move our time.

Mr. Crawford: Do you know exactly what we're looking for?

Mr. Monaco: I like to read the report. I can't even formulate questions without a report.

Mr. Lake: And I have a problem with the report because it's screwed as far as I'm concerned. They paid for it.

Mr. Monaco: That's going to be the case every time.

Mr. Lake: No, it's not every time.

Mr. Monaco: I don't know who's going to pay for it, though.

Mr. Diehl: The County is not going to pay for it. It's not our development.

Mr. Antey: They paid for the engineering study. They paid for everything. When an on-site septic system goes in, the homeowner or whoever owns that pays for the study on that.

Mr. Lake: Isn't it not true that a lot of times we have traffic studies and we get those results either from the State, right? The state turns them into us, like projects on 50 Highway?

Mr. Diehl: The applicant, the developer, would pay for a traffic study. Traffic study, Mr. Antey: Transystems, or somebody like that.

Mr. Diehl: The hire someone, they stamp it and give it to their clients.

Mr. Antey: It's just like an engineer. They hire their engineer, but their engineer is putting their seal on it. Their professional seal. You know, it doesn't matter who Transystem, and I'm using Transystem because I know that they're a, you know, it's just one of the ones I know that does traffic studies, but they don't care who's paying them, whether it's the County or the, somebody's got to pay them, you know, and they're going to do the, that's why it's an independent traffic study. If the developer said, oh, yeah, I sent some of my guys out there to do a traffic study, And, you know, it was just the developers. And, yeah, that would be a little bit sketchy in my opinion. But when they're hiring a company to do a traffic study, that's what that company hangs there hat on.

Mr. Lake: I guess the alternative is if these good citizens would hire their own independent study. They would compare apples to apples.

Mr. Horn: My concern is that we're going to move this forward and we want more information. I think if we're going to have more information from the applicant, more information should also be available to come forward from the community. And that includes public testimony.

Mr. Antey: We have had public testimony. All the testimony today will be in the record. Typically when we do hold over, when we continue a hearing, we can open it up to more public testimony and the caveat is still refrain from repeating points made by others. So everything that's said today, the point has already been made. It's in the record. So we would be opening up the public hearing for anybody to testify in for new information.

Amanda Langenheim: This body can continue the hearing regarding this applicant. The applicant can also request that the hearing be continued, and the applicant is entitled to one continuance. So there's kind of two avenues for continuing the hearing. But in terms of opening it up again to the body, I think we would have to comply with the open hearing requirements, which would require people to have an opportunity to put forth their positions and their thoughts on the applicant. I think it still is within your control and authority to control the comments and try and reduce the time component. I don't know if you want to go into a three minute component on, or a three minute maximum time component on whoever comes and talks that day. I do believe that it would still be subject to open hearing, so people would have the ability to talk and I think it would be within your ability to control that to a certain extent to a limit repetitions that happened today.

Mr. Foster: We would be open to a continuous so you guys have an opportunity to see the traffic study that we submitted already.

Mr. Antey: Open to or are you requesting a continuance?

Mr. Monaco: I would withdraw my motion to continuous. Someone could withdraw or second.

Mr. Smead: I'll withdraw

Mr. Horn: Does that supersede any action we take?

Mr. Farrar: Yes, that's what she just said. He's entitled to one extension. He's done that.

Crawford: Before this is withdrawn, as far as this continuance.

Mr. Antey: It's not withdrawn. It's continued. Withdrawing is a different...

Mr. Crawford: We're still on our discussion. There has been a study done, and we've got people on this board that would like to see the study, and I understand that. But always in the past, historically in the past, I've never seen a traffic study, but I've always relied on

staff to review the traffic study, and they're the ones that make the recommendation on the whole project, and that's one of the things they consider. I assume Mr. Jenkins has looked at this.

Mr. Diehl: Is that correct? He's not here today. Or he may have been here today to help with that. He is the one reviewing that. You're correct. I can see if he's got the latest version of that in an electronic format and we will award it to all you all.

Mr. Crawford: Has he given a recommendation on that?

Mr. Diehl: It's still under review with engineering.

Crawford: And if he did not like what he saw, it would pretty much negate everything. Let's say we approved this today, and he said, you know what, Union School Road is just not there.

Mr. Antey: This board is a recommendation board to the County Legislature. They still vote on it, so they will open it up to new public testimony as well. If it's voted up or down today, it will still proceed to the County Legislature. If it is continued, then it won't go to the County Legislature until we offer them a recommendation of either approve or disapprove. So, Amanda, so the continuance that the applicant's representative has requested now, is that an automatic or is that something that we also have to vote on?

Ms. Langenheim: That's automatic. They're entitled to one request for continuance. We do have to set the daytime in place.

Mr. Diehl: It's May 15th.

Mr. Horn: Does it automatically go to the next meeting or can we set the time in place? Or is it just the immediate next meeting?

Mr. Antey: If it's continued to a date certain, then the notification that has already been posted and sent out still stands. If we have to notify of a new time and place, then we'll have to go through all the notification procedures once again.

Mr. Horn: I didn't want to extend this because it's going to waste tax dollars, it's going to waste some time. So I didn't want to extend this. Even if it's a traffic study. Because, you know, I'm clearly for development, but it needs to be the right development. And I'm just, I don't know why we're delaying this. I wish we would have had the vote on the hold and would have seen how that gone. But I guess we'll continue this.

Mr. Antey: We'll continue it to the regular meeting on May 15th at 8:30.