



**AGENDA
CITY OF HARRISONVILLE
PLANNING & ZONING COMMISSION
REGULAR MEETING
CITY HALL
NOVEMBER 14, 2019
6:00 PM**

- 1. Call to Order**
 - A. Roll Call**
- 2. Approval of Minutes**
 - A. Planning & Zoning Commission - Regular Meeting - Oct 17, 2019 6:00 PM**
- 3. Agenda Items**
 - A. SUP 19-017 Application for Aquafresh Barramundi
PUBLIC HEARING**
- 4. Discussion Items**
- 5. Adjourn**

Posted this 7th day of November, 2019

Daniel Barnett, Deputy City Clerk



DRAFT
MINUTES
CITY OF HARRISONVILLE
PLANNING & ZONING COMMISSION
REGULAR MEETING
CITY HALL
OCTOBER 17, 2019
6:00 PM

1. Call to Order

The meeting was called to order at 6:06 PM by Chair Chris Chiodini

Attendee Name	Organization	Title	Status	Arrived
Chuck Jones	Harrisonville		Present	
Chris Chiodini	Harrisonville	Chair	Present	
Scott Milner	Harrisonville		Absent	
Judy Bowman	Harrisonville	Mayor	Present	
Jim Proctor	Harrisonville		Absent	
Virgil Butler	Harrisonville		Absent	
Dorothy Young	Harrisonville		Present	
Cheryl Bush	Harrisonville	Board Member	Present	
Barrett Welton	Harrisonville		Present	

Also in attendance were Eric Collins, Applicants Representative and Caren Renner, Applicant for Renner Place; Kim Bartalos, Developer Representative for Harrisonville Town Center; Matt Turner, Alderman Liaison; Roger Kroh, Community Development Planner; and Jamie Martin, Recording Secretary.

2. Approval of Minutes

A. Planning & Zoning Commission - Regular Meeting - Aug 15, 2019 6:00 PM

Chuck Jones asked about the vote on amendments to Section 405.550 (D) Accessory Buildings. The minutes stated that it was recommended for Board Approval with a vote of 4 to 3. He was under the impression that a recommendation of approval requires 5 votes, the majority of the full commission. Roger Kroh called the City Attorney who sent a text saying that a simple majority of a quorum is all that is needed for recommendations to the Board of Alderman. Roger added that five votes is needed at the Board of Alderman meetings to approve an ordinance.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Barrett Welton
SECONDER:	Judy Bowman, Mayor

Minutes Acceptance: Minutes of Oct 17, 2019 6:00 PM (Approval of Minutes)

AYES:	Jones, Chiodini, Bowman, Young, Bush, Welton
ABSENT:	Scott Milner, Jim Proctor, Virgil Butler

3. Agenda Items

A. Renner Place, 1600 Mechanic Street

1. Application RZ 19-008; Rezoning From M-1 Light Industrial District to C-2 Service Business District PUBLIC HEARING

Roger Kroh presented the rezoning application for 1600 W Mechanic Street from M-1 Light Industrial to C-2 General Commercial Zoning District. Mr. Renner (owner of property) wishes to split a 6.98 acre lot into 2 lots. Lot 1 is 1.3 acres and currently has the Winnelson building on it. That lot is currently zoned C-2 and will remain C-2. The northwest lot (Lot 2) is currently zoned M-1 Light Industrial and Mr. Renner would like it rezoned to C-2 to build mini storage. Applicant has come to an agreement on shared access of the driveway from Nutrien-Ag Solutions.

Staff recommends approval of a motion recommending that the Board of Aldermen approve RZ 19-008 as the proposed use is well suited for second-tier locations behind businesses that front commercial corridors. Mr. Kroh also stated that he is proposing a stipulation that if Lot 2 is further subdivided, the lots have to have direct access from a public street. Also, there is a 6-inch high pressure gas main that the owner of the line and Mr. Renner have to establish a defined easement. Mr. Kroh said that blanket easements, such as the one the gas company has had for many years, are no longer legal. Matt Turner asked if the lot would be paved or gravel. Mr. Kroh stated that it would be paved to the entrance of the mini storage. Dorothy Young asked if the shared access agreement would stay with the property if the owners change. Mr. Kroh stated that the easement will run with the land and one party can not change the agreement. Dorothy asked about water retention. Roger stated that any new project has to have water detention and has to get a Natural Public Discharge Permit from the State for that. Eric Collins, representative for the Renner's, spoke to the Commission. He stated that this project started March, 19, 2019. The prior City Attorney had an issue with the current easement and that he and the Renner's had been working to identify how to fix this. He stated that the City Subdivision Codes were all acceptable to the applicants, and that they are working to find the owner of the gas line. Chris Chiodini asked if there were any problems with the stipulations of requirements? Mrs. Renner stated that there would be no problems.

The Chairman opened the public hearing. There were no comments from the audience. The chairman closed the public hearing.

Chuck Jones made a motion to recommend approval to the Board of Alderman for the rezoning with the stipulations stated. Cheryl Bush seconded the motion. The vote was unanimous.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Chuck Jones
SECONDER:	Cheryl Bush, Board Member
AYES:	Jones, Chiodini, Bowman, Young, Bush, Welton
ABSENT:	Scott Milner, Jim Proctor, Virgil Butler

2. Application PP 19-009; Preliminary Plat of Renner Place

Roger Kroh presented his Staff Report for Preliminary Plat of Renner Place Lots 1 and 2. Roger Kroh recommends approval with #6 on his Staff report being struck, and the stipulation of access to a public street being required if Lot 2 is further subdivided. Dorothy Young made a motion to recommend approval to the Board of Aldermen as revised at this meeting. Chuck Jones seconded the motion. The Commission voted unanimously.

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	Dorothy Young
SECONDER:	Chuck Jones
AYES:	Jones, Chiodini, Bowman, Young, Bush, Welton
ABSENT:	Scott Milner, Jim Proctor, Virgil Butler

3. Application FP 19-010; Final Plat of Renner Place Lots 1 & 2

Roger Kroh presented his Staff Report for the Final Plat of Renner Place Lots 1 and 2. Roger Kroh recommends approval with #6 on his Staff report being struck, and the stipulation of access to a public street being required if Lot 2 is further subdivided. Chuck Jones made a motion to recommend approval to the Board of Aldermen as revised at this meeting. Barrett Welton seconded the motion. The Commission voted unanimously.

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	Chuck Jones
SECONDER:	Barrett Welton
AYES:	Jones, Chiodini, Bowman, Young, Bush, Welton
ABSENT:	Scott Milner, Jim Proctor, Virgil Butler

B. Harrisonville Town Center (Dollar General)

1. Application PP 19-015; Preliminary Plat of Harrisonville Town Center 2nd Plat

Roger Kroh presented his Staff Report for Preliminary Plat 19-015, application for Harrisonville Town Center 2nd Plat. This is for the half of the 42 acres that hasn't been developed between Sutherland's and Lindbergh Street. The 20-acre Phase 2 has had no development since the original Plat was approved in 2005. The Preliminary Plat of Phase 2 expired in 2007. Security Bank, the new owner Phase 2, has submitted a Preliminary Plat that is similar to the original one that expired, with 3 pad sites. At this time, the city has received a site development plan and construction plan for a 7,495 sq. ft. Dollar General to go on the middle of the 3 pad sites. Roger said that the southwest corner is in the 100 year flood plain. Ted Martin is finalizing his review of Storm Water plans. The lot is zoned C-2. When the other 2 pads are filled in, an external drive will be built, giving the development 2 ways in and out. Staff recommends a motion to recommend approval to the Board of Aldermen. Dorothy Young asked if this Dollar General would be taking the place of the current location at Southland? Kim Bartalos, representative for the developer, stated that it is her understanding that both locations would remain. Dorothy Young asked who would be financially responsible for the drives being done. Roger said that is the responsibility of the developer and future buyers. Dorothy Young asked if the Stormwater would just be for Dollar General or all the pad sites. Roger stated that it would be done in phases as the pad sites were sold/developed. Chris Chiodini stated that the water should go to the west as we already have problems to the south. Mr. Kroh stated that the City Engineer works on the Storm Water plans but he will relay the

comments to him. He said it has not been contemplated that water detained on the pad sites will drain to the west. Mr. Chiodini asked about the color elevation picture that was supposed to be available to view. Mr. Kroh stated that he didn't have it in time for the meeting, but that the building would have an upgraded texturized siding instead of the metal siding usually used. They will also be using split face stone or rock on the face of the building. Dorothy Young asked if the driveways would align with others on the east side of Commercial Street? Roger stated that would be up to MODOT. Barrett Welton asked if that area was zoned properly for this use. Roger said that it is. Chuck Jones made a motion to recommend approval to the Board of Aldermen with the stipulations presented in the Staff Report. Dorothy Young seconded the motion. The Commission voted unanimously.

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	Chuck Jones
SECONDER:	Dorothy Young
AYES:	Jones, Chiodini, Bowman, Young, Bush, Welton
ABSENT:	Scott Milner, Jim Proctor, Virgil Butler

2. Application FP 19-016; Final Plat of Harrisonville Town Center 2nd Plat

Roger Kroh presented his Staff Report on Application of Final Plat 19-016 of Harrisonville Town Center 2nd Plat. Dorothy Young made a motion to recommend approval to the Board of Aldermen with the stipulations presented in the Staff Report. Chuck Jones seconded the motion. The Commission voted unanimously.

RESULT:	RECOMMENDED [UNANIMOUS]
MOVER:	Dorothy Young
SECONDER:	Chuck Jones
AYES:	Jones, Chiodini, Bowman, Young, Bush, Welton
ABSENT:	Scott Milner, Jim Proctor, Virgil Butler

4. Discussion Items

A. Scheduling Conflict November 2019 Meeting

Roger Kroh stated that he has a conflict with the November meeting being on the 21st. The majority of the Commission had no conflicts with moving the meeting up a week to November 14, 2019.

5. Adjourn

With nothing further to come before the Commission, Chuck Jones made a motion to adjourn. Barrett Welton seconded. The Commission voted unanimously. The meeting was adjourned at 6:50 PM.

Chris Chiodini,
Chairperson of the Planning & Zoning Commission

ATTEST:

Jamie Martin, Secretary

Minutes Acceptance: Minutes of Oct 17, 2019 6:00 PM (Approval of Minutes)



STAFF REPORT

TO: Planning & Zoning Commission
FROM: Roger Kroh, Planner
DATE: November 7, 2019
SUBJECT: Aquafresh Barramundi SUP

Type of Item: *Approval*

P&Z Meeting Nov. 14, 2019

BOA Meeting Dec. 2, 2019

GENERAL INFORMATION**PUBLIC HEARING**

Case No.: SU 19-017

Request: A Special Use Permit (SUP) to operate an indoor aquaculture farm to raise fish with an attendant's living quarters and an indoor hydroponic farm for vegetables and herbs.

Note: Although not a part of this application, the applicant will be seeking City permission to raise and process industrial hemp inside its main building and greenhouses after the Missouri Department of Agriculture completes its rule-making process in early 2020. Forty-seven (47) states now allow the growing of industrial hemp which is used in paper products, molded plastics, textiles, construction materials, food products, and CBD extracts.

Location: 12 ac identified as Cass County Assessor Parcel No. 13-22-09-000-000-040.009 between Brookhart Dr and I-49 and 267th and 275th Streets (see attached legal description).

Applicants: Graham and Sandra Gentry
 Aquafresh Barramundi, LLC

Property Owners	Graham and Sandra Gentry
Acres	12 acres
Zoning	M-1 Light Industrial District

General

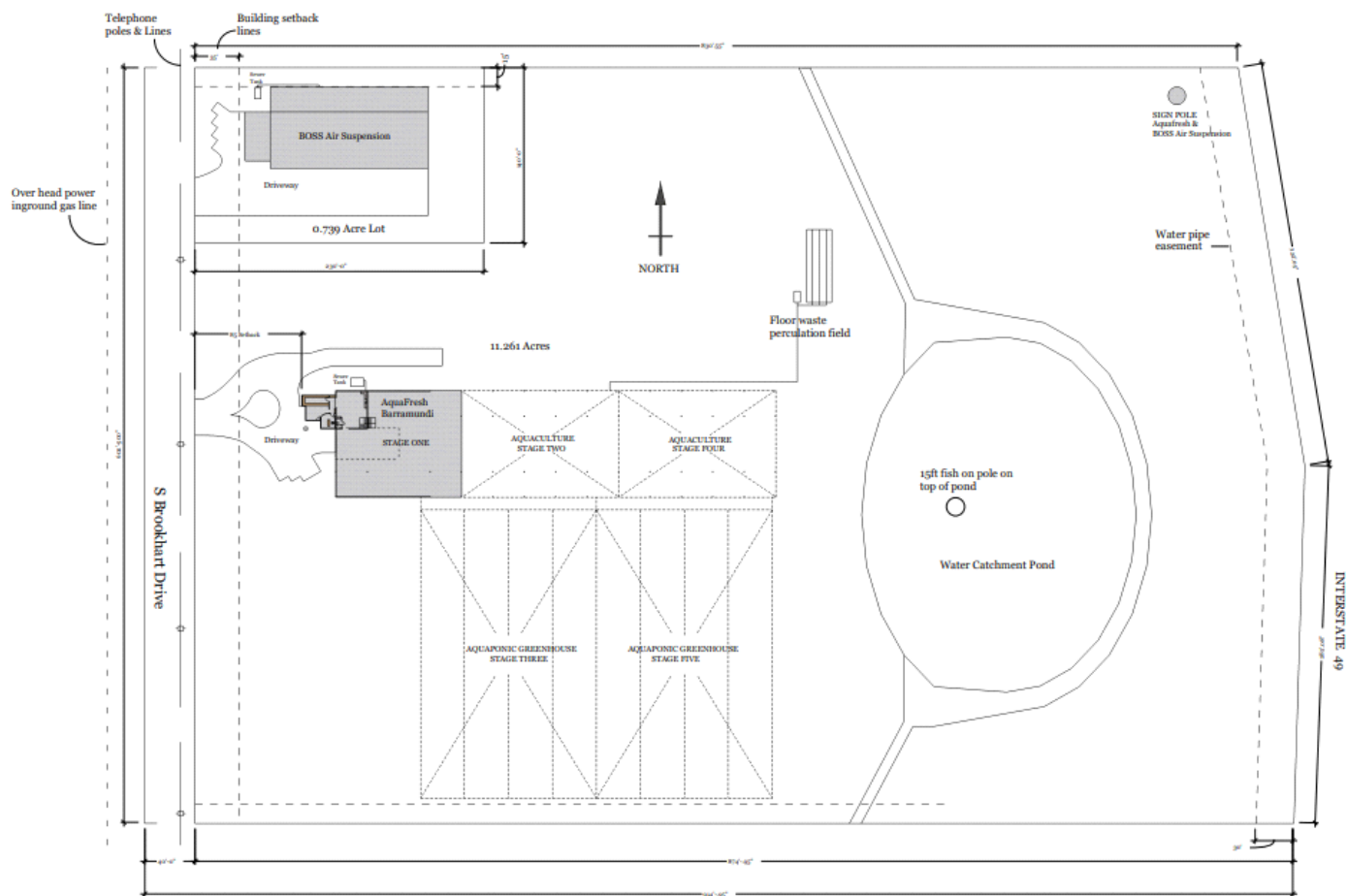
Graham and Sandra Gentry with Aquafresh Barramundi LLC have applied for a special use permit to operate an indoor aquaculture farm and living quarters for operation of an indoor aquaculture farm to raise fish and an indoor hydroponic farm for vegetables and herbs. They recently acquired 12 acres for the project in the M-1 light industrial zoning district between I-49 and Brookhart Drive and 267th and 275th Streets.

Vicinity Maps





Full-size copies of site plat will be provided at the meeting.





Platting

If their application for an SUP is approved, the applicants will apply for approval of a preliminary plat and final plat. The 12 acres will be divided into two tracts as follows:

- .74-ac. Tract -- The smaller tract at the northwest corner of the site, will become the global and US home of a 7,200 sq. ft. distribution operation for BOSS Air Suspension, an Australian producer of air suspension systems for vehicles (www.bossairsuspension.com <<http://www.bossairsuspension.com>>). Distribution as a use is allowed by right in the M-1 zoning district. SUP is required and this is not part of the SUP application. A holding tank is proposed.
- 11.26-ac. Tract -- The larger tract will be the site of Aquafresh Barramundi LLC. The following buildings are proposed:
 - a 7500 sq. ft. building with a studio apartment, expandable to about 26,700 sq. ft., for raising of barramundi fish (sea bass). City staff recently toured an indoor fish-operation near Higginsville. As all of the fish can die with loss of heat and aeration, staff supports the request for an attendant's quarters. Processing of industrial hemp (separating seed from stalks) will also occur here after it is approved by the State and City.

- Two 30,800 sq. ft. green houses for aquaponic raising of vegetables and herbs. An SUP is needed for aquaponic farming.

Proposed Order of Development

Stage 1. Construct 7,500 sq. ft. building for raising fish with a recirculating aquaculture system. The fingerlings are shipped from Australia to US where they are raised for local fish markets. If approved by the City and State, processing of industrial hemp seed and stalks will also occur in this building and likely start prior to the arrival of the fish from Australia.

An engineered septic system is proposed for the apartment. A separate engineered holding tank that meets DNR standards is proposed for the operations area. Laterals may be added for overflows if DNR compliant. Fish solids will be mixed with tree mulch to make compost onsite at the Gentry's pecan nursery at 24507 E 275th St. in rural Cass County.

The applicant proposes to construct a dam and pond near I-49 for stormwater detention and ascetics. The size of the pond will be determined by the stormwater management plan. In the pond will be a 15-ft barramundi fish statue and fountain that will be illuminated at night.

The applicant wishes to construct a sign on the northeast corner of the site that will be approximately 80 ft. in height so as to be visible over trees.

The sign code limits the height of signs to 50 ft. But, if the applicant is willing to relocate the sign to the southeast corner of the site which is within 1000 ft. of an I-49 interchange, he may apply for a variance to exceed 50 ft. Approval of the sign is not part of this application.

Stage II. Expand building for fish operation by 9,600 sq. ft. to 17,100 sq. ft.

Stage III. Construct a 30,800 sq. ft. aquaponic greenhouse for farming of green vegetables, herbs and, if approved by the City and State, industrial hemp.

Stage IV. Expand building for fish operation by 9,600 sq. ft. to 26,700 sq. ft.

Stage V. Construct a second 30,800 sq. ft. aquaponic greenhouse for farming of green vegetables, herbs and, if approved by the City and State, industrial hemp.

Performance Standards in the M-1 Zoning District

Section 405.490 sets forth the Performance Standards in the M-1 Zoning District. Those applicable to this application are listed below and incorporated as conditions in the staff recommendation.

- A. All operations shall be conducted within a fully enclosed building.
- B. No use shall be permitted or so operated as to produce or emit:
 - 1. Dust, fly ash, radiation, gases, heat, glare or other effects which are obviously injurious to humans at the property line.
 - 2. Vibration or concussion perceptible without instruments at the property line.
 - 3. The noise level shall not exceed seventy-five (75) dB(A) at any point along the property line.
 - 4. Industrial processes and wastes shall be of such a quantity and nature as to not overburden the public sewage disposal facilities or to cause odor and unsanitary effects beyond the property line.

Review of Application using Zoning Ordinance Criteria for SUPs:

1. The character of the surrounding neighborhood, including the existing uses and zoning classification of properties near the subject property.

The zoning is M-1 Light Industrial District. The zoning and uses of the adjacent properties surrounding the subject site are as follows:

	<u>Zoning</u>	<u>Use</u>
North	M-1	Vacant
East	Interstate 49	
West	I-1 (Cass County)	Vacant
South	M-1(City)	MVP Painting (Coating architectural steel)

The proposed uses are consistent with the surrounding neighborhood, existing uses and the M-1 zoning district classification.

2. The physical character of the area in which the property is located.

The physical character of the area is predominantly industrial and rural. The topography of the site is flat.

3. Consistency with the goals and objectives of the Comprehensive Plan and other plans, codes and ordinances of the City.

The proposed use is consistent with the following industrial land use policies in the Comprehensive Plan.

- A. Industrial areas shall have reasonable and convenient access to I-49.
- B. The proposed use is in an area of industrial development with similar or compatible uses.
- C. The proposed use is in an area where adequate streets, electricity, water and sewer are available.

4. Suitability of the subject property for the uses permitted under the existing and proposed zoning districts.

We believe the subject property is suitable for the proposed aquaculture farming of fish and hydroponic farming of vegetables and herbs.

5. The trend of development near the property, including changes that have taken place in the area since the subject property was placed in its current zoning districts.

The area surrounding the subject site is zoned M-1, Light Industrial, and gradually filling in with industrial users. The property on the west side of Brookhart Drive, which is unincorporated Cass County, is zoned I-1 by the County.

6. The extent to which the zoning amendment may detrimentally affect nearby property.

We do not see the aquaculture and hydroponic uses as detrimental to nearby properties as they will occur inside of a building.

7. Whether public facilities and services will be adequate to serve development allowed by the requested zoning map amendment.

Public facilities and services in the area are adequate enough to serve the proposed use.

8. The suitability of the property for the uses to which it has been restricted under the existing zoning regulations.

We see the subject property as suitable for the proposed use due to its M-1 zoning and available public infrastructure

9. The length of time (if any) the property has remained vacant as zoned.

Approximately twenty (20) years.

10. Whether the proposed zoning map amendment is in the public interest and is not solely in the interest of the applicant.

Economic development and investment in capital and jobs is in the public interest.

11. The gain, if any, to the public health, safety and welfare due to the denial of the application, as compared to the hardship imposed upon the landowner, if any, because of denial of the application.

We do not see the proposed uses as being detrimental to the public health, safety and welfare of the community.

STAFF RECOMMENDATION: Approve motion recommending that the Board of Aldermen approve a special use permit for Graham and Sandra Gentry to operate an indoor aquaculture farm to raise fish with an attendant's living quarters and an indoor hydroponic farm for raising vegetables and herbs, all subject to the following conditions:

1. The Use - This special use permit authorizes the operation of an indoor aquaculture farm to raise fish with an attendant's living quarters and an indoor hydroponic farm for raising vegetables and herbs.

2. Location - 12 ac identified as Cass County Assessor Parcel No. 13-22-09-000-000-040.009 between Brookhart Dr and I-49 and 267th and 275th Streets (see attached legal description).
3. Environmental -- The indoor aquaculture fish farm and an indoor hydroponic farm shall not be operated so as to produce or emit dust, fly ash, radiation, gases, heat, glare or other effects which are obviously injurious to humans at the property line.
4. Odors - The indoor aquaculture fish farm and an indoor hydroponic farm shall not be operated so as to produce odors which are noticeable at the property line.
5. Vibration -- The indoor aquaculture fish farm and an indoor hydroponic farm shall not be operated so as to produce vibration or concussion perceptible without instruments at the property line.
6. Noise Level -- The transfer station shall not be operated so as to produce a noise level that exceeds seventy-five (75) dB(A) at any point along the property line.
7. Sewage Disposal Facilities - Sewage disposal facilities shall be constructed to meet all City and Department of Natural Resources requirements. Operational processes and wastes shall be of such a quantity and nature so as to not overburden the sewage disposal facilities or to cause odor and unsanitary effects beyond the property line.
8. Off-street Parking and Queuing - Off-street parking shall be provided in a number to accommodate the parking needs of visitors plus one (1) space for each employee.
9. City, County and State Standards - The indoor aquaculture fish farm and an indoor hydroponic farm shall operate in conformance with all applicable City, County, State and Federal ordinances, regulations and statutes.
10. Time Limit - 10 years. Applicant may reapply for renewal of SUP.

Legal Description:

Aquafresh Barramundi, LLC Site

Tract A

PART OF A TRACT OF LAND DESCRIBED IN BOOK 3168 AT PAGE 113, IN THE OFFICE OF THE RECORDER OF DEEDS IN CASS COUNTY, MISSOURI, BEING PART OF THE EAST HALF OF SOUTHWEST QUARTER OF

SECTION 9, TOWNSHIP 44, RANGE 31 IN CASS COUNTY, MISSOURI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 9, AFORESAID, RUN THENCE NORTH 88°00'56" WEST, ALONG THE SOUTH LINE THEREOF, 1315.45 FEET, TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 9; THENCE NORTH 01°51'21" EAST, ALONG THE WEST LINE OF SAID EAST HALF, 874.51 FEET, TO THE NORTHWEST CORNER OF "KELLY SUBDIVISION", A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, AS PREVIOUSLY PLATTED AND RECORDED; THENCE SOUTH 88°04'14" EAST, ALONG THE NORTH LINE THEREOF, 40.00 FEET, TO THE NORTHWEST CORNER OF LOT 1, IN SAID "KELLY SUBDIVISION, SAID POINT BEING THE TRUE POINT OF BEGINNING OF THE TRACT TO BE DESCRIBED; THENCE NORTH 01°51'21" EAST, PARALLEL WITH THE WEST LINE OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 9, 602.59 FEET; THENCE SOUTH 88°04'14" EAST, 830.55 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF U.S. INTERSTATE 49 (FORMERLY U.S. 71 HIGHWAY), AS NOW LOCATED; THENCE SOUTH 07°35'05" EAST, ALONG SAID RIGHT-OF-WAY LINE, 322.05 FEET; THENCE SOUTH 03°33'01" WEST, ALONG SAID RIGHT-OF-WAY LINE, 285.08 FEET, TO THE NORTHEAST CORNER OF SAID LOT 1, "KELLY SUBDIVISION"; THENCE NORTH 88°04'14" WEST, ALONG THE NORTH LINE OF SAID LOT 1, 874.95 FEET, TO THE TRUE POINT OF BEGINNING. CONTAINS 12.00 ACRES, MORE OR LESS, SUBJECT TO ANY EXISTING EASEMENTS OR RIGHT-OF-WAYS.

A. Action Item (ID # 3412)

Aquafresh Barramundi SUP