



**AMENDED AGENDA
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
CITY HALL
APRIL 1, 2019
7:00 PM**

- 1. Call to Order**
 - A. Pledge of Allegiance**
 - B. Roll Call**
- 2. Ceremonial Matters**
- 3. Public Participation**
- 4. Approval of Minutes**
 - A. Board of Aldermen - Regular Meeting - Mar 18, 2019 7:00 PM**
- 5. Agenda Items**
 - A. SECOND READING: Council Bill 13: An Ordinance to rezone the property described as the Southland Shopping Center At 1799-1811 East Mechanic St. And 204-208 Oriole St. from the C-1 Local Business Zoning District to the C-2 Service Business Zoning District in the City of Harrisonville, Cass County, Missouri, and establishing an effective date.**
 - B. PUBLIC HEARING: Meadows Subdivision Rezoning**
 - C. Council Bill 18 : An Ordinance of the City of Harrisonville to amend the Zoning Map for Lots 74 thru 78 and Lots 85 thru 89, Meadow View 6th Addition; Lots 61 thru 73-A and Lots 105 thru 114, Meadow View 7th Addition; Lots 82 thru 84, Lots 91 thru 100, and Lots 102 thru 104, Meadow View 8th Addition from R-4 Apartment Residential District to R-1 Single Family Residential District, and establishing an effective date.**
 - D PUBLIC HEARING: Amendment to Zoning Code**
 - E. Council Bill 19: An Ordinance of the City of Harrisonville repealing Section 405.485 of the M-1 Light Industrial Zoning District and enacting in lieu thereof a new Section 405.485 to allow as a permitted use Automobile/Truck Body Shops, and establishing an effective date.**
- 6. Aldermen and Committee Reports**

- 7. Report from the City Administrator**
- 8. Report from the Mayor**
- 9. Adjourn to Executive Session pursuant to RsMO 610.021 (1) Legal actions**
- 10. Adjourn From Regular Session**

Posted on City Hall Bulletin Board this 29th day of March, 2019

Randall K. Jones, City Clerk

The Board of Aldermen meeting is an open meeting but is not a meeting of the public. There is a place on the agenda for comments of citizens under PUBLIC PARTICIPATION. Our rule is that comments by any individual or group shall not exceed (4) minutes. The Board of Aldermen request that concerns be initially addressed at the appropriate action level before coming to the Board of Alderman



DRAFT
MINUTES
CITY OF HARRISONVILLE
BOARD OF ALDERMEN
REGULAR MEETING
CITY HALL
MARCH 18, 2019
7:00 PM

1. Call to Order

The meeting was called to order at 7:00 PM by Mayor Brian Hasek

A. Pledge of Allegiance

Attendee Name	Organization	Title	Status	Arrived
Judy Bowman	Harrisonville	Board Member	Present	
Clint Long	Harrisonville	Board Member	Absent	
Jessica Levsen	Harrisonville	Board Member	Present	
David Dickerson	Harrisonville	Board Member	Present	
Matt Turner	Harrisonville	Board Member	Absent	
Marcia Milner	Harrisonville	Board Member	Present	
Judy Reece	Harrisonville	Board Member	Present	
Brad Bockelman	Harrisonville	Board Member	Present	
Brian Hasek	Harrisonville	Mayor	Present	

Others present were: City Attorney John Fairfield, City Administrator Happy Welch, Public Works Director Eric Patterson, HES Director Eric Myler, Finance Director Marcella McCoy, Street Superintendent Rodney Jacobs, Public Information Officer/Deputy City Clerk Daniel Barnett and City Clerk Randall Jones, Recording.

2. Ceremonial Matters

None.

3. Public Participation

Jill Kiefer, 1406 Jefferson Parkway, addressed the Mayor and Board of Aldermen in regard to businesses operating without a business license, especially those working within another establishment. Mayor Hasek asked that City Administrator Happy Welch look into this situation.

4. Approval of Minutes

A. Board of Aldermen - Regular Meeting - Mar 4, 2019 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	David Dickerson, Board Member
SECONDER:	Jessica Levsen, Board Member
AYES:	Bowman, Levsen, Dickerson, Milner, Reece, Bockelman
ABSENT:	Clint Long, Matt Turner

5. Approval of Executive Session March 4, 2019

Motion by Alderman Levsen to approve the minutes of the March 4, 2019 Executive Session. A second was made by Alderman Dickerson. Motion carried with voice vote all ayes.

6. Agenda Items

A. Fire Chief - ISO Rating Release

Staff report presented by HES Director Eric Myler. The City's ISO rating is now a 3. Alderman Bowman asked what would it take to drop the rating to a 2. Myler responded would need more staffing, another firehouse and water improvements.

B. A Resolution of the Board of Aldermen authorizing the city administrator to enter into and execute a purchase agreement with Physio Control, Inc. for one Physio Control Lifepak 15 heart monitor and two Lucas Chest Compression devices for use on the Harrisonville Emergency Services ambulances for a total cost of \$54,304.24, and establishing an effective date.

Staff report was presented by HES Director Eric Myler. Alderman Bowman asked what the life expectancy of a Physio Lifepak was and Alderman Milner asked about the current Lifepaks. Myler responded that the current ones would be traded in and they last about ten years. Alderman Dickerson made motion to amend Council Bill #14 to reflect the amount of \$54,304.24 and to add the phrase "Whereas Physio Control as lowest bid" with a second by Alderman Levsen. Motion carried. Upon passage, Mayor Hasek designated it to be Resolution #2019-009.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David Dickerson, Board Member
SECONDER:	Marcia Milner, Board Member
AYES:	Bowman, Levsen, Dickerson, Milner, Reece, Bockelman
ABSENT:	Clint Long, Matt Turner

C. A Resolution of the Board of Aldermen of the City of Harrisonville, Missouri, to authorize the city administrator to execute a Purchase Agreement for one (1) 2019 Ford F550 4WD Versalift VST 47 Bucket Truck from Drake-Scruggs Equipment, Inc., in an Amount of \$149,189.80, and establishing an effective date.

Staff report presented by Public Works Director Eric Patterson. Alderman Bowman asked where the vendor was located. Upon passage, Mayor Hasek designated it to be Resolution #2019-010.

RESULT: ADOPTED [UNANIMOUS]
MOVER: David Dickerson, Board Member
SECONDER: Jessica Levsen, Board Member
AYES: Bowman, Levsen, Dickerson, Milner, Reece, Bockelman
ABSENT: Clint Long, Matt Turner

- D. A Resolution of the Harrisonville Board of Aldermen Authorizing the city administrator to enter into an agreement with Terry Snelling Construction, Inc. for the repair of sidewalks and curbs, at a cost of \$350,000.00, and establishing an effective date.**

Staff report presented by Street Superintendent Rodney Jacobs. Upon passage, Mayor Hasek designated it to be Resolution #2019-011.

RESULT: ADOPTED [UNANIMOUS]
MOVER: David Dickerson, Board Member
SECONDER: Marcia Milner, Board Member
AYES: Bowman, Levsen, Dickerson, Milner, Reece, Bockelman
ABSENT: Clint Long, Matt Turner

- E. A Resolution authorizing the city administrator to enter into and execute an agreement with MGT Group of Tampa, Florida, to review the annual franchise tax transfers and other allocations by the City of Harrisonville Enterprise Funds to the City's General Fund, at a cost not to exceed of \$32,180, and establishing an effective date.**

Staff report presented by City Administrator Happy Welch and City Attorney John Fairfield. Alderman Bowman stated she felt that it needed to be sent out for bid again after tax season and also the possibility of the Enterprise Funds to pay a portion of the cost. Alderman Milner asked about the length of the audit and if they would be on site. Mayor Hasek stated that it needed to be completed to fulfill State Audit findings. Alderman Dickerson asked if it is not completed what would that do to State Audit. Upon passage, Mayor Hasek designated it to be Resolution #2019-012.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Brad Bockelman, Board Member
SECONDER: David Dickerson, Board Member
AYES: Bowman, Levsen, Dickerson, Milner, Reece, Bockelman
ABSENT: Clint Long, Matt Turner

- F. Southland Shopping Center Public Hearing**

Kim Bartalos with Block Realty explained the need to change the zoning to allow for more types of businesses to locate within the shopping center. No other public input. The hearing was officially closed.

RESULT: DISCUSSION

- G. An Ordinance to rezone the property described as the Southland Shopping Center At 1799-1811 East Mechanic St. And 204-208 Oriole St. from the C-1 Local Business Zoning District to the C-2 Service Business Zoning District in the City of Harrisonville, Cass County, Missouri, and establishing an effective date.**

First reading for Council Bill #013. Motion made by Alderman Dickerson with a second by Alderman Levsen to change the date of the public hearing to reflect the March 18th date. Motion approved by roll call vote: Alderman Bowman aye, Alderman Bockelman aye, Alderman Reece aye, Alderman Milner aye, Alderman Dickerson aye, Alderman Long absent, Alderman Turner absent, Alderman Levsen aye. Motion by Alderman Dickerson to suspend ruling and move Council Bill #013 to second reading with a second by Alderman Levsen. Second reading roll call vote: Alderman Bowman nay, Alderman Bockelman aye, Alderman Reece aye, Alderman Milner aye, Alderman Dickerson aye, Alderman Long absent, Alderman Turner absent, Alderman Levsen aye. Second reading moved to next regular meeting on April 1, 2019.

RESULT: FIRST READING

Next: 4/1/2019 7:00 PM

7. Aldermen and Committee Reports

Alderman Bowman announced that April 27th would be the drug take back event sponsored by Police Department and the VIPS. This year the event will be in honor and memory of DEA agent, Terry Branson.

Alderman Dickerson stated that there are rumors about what the City has or has not done and encouraged everyone to check out the City's website. He also reminded everyone that the State Audit was not from the Mayor but was a petition by the citizens of Harrisonville.

Alderman Levsen was in agreement with Alderman Dickerson. She stated the City does need checks and balances.

8. Report from the City Administrator

City Administrator Happy Welch presented his report to the Mayor and Board of Aldermen.

Public Works Director Eric Patterson stated that Drake Scruggs was a company out of Springfield, Illinois.

9. Report from the Mayor

Mayor Hasek asked about the date for the tree limb pick up and Public Works Director Eric Patterson said hopefully in a couple of weeks if we continue to have dry weather. Alderman Bowman asked about those that might need assistance and the answer was that some civic organizations have volunteered to assist with this. He announced that yard waste can be put out at the curb again beginning April 1st. Mayor Hasek announced that on April 6th there would be a volleyball tournament to benefit Shepherd's Food Pantry if anyone was interested in forming a team.

10. Adjourn From Regular Session

Minutes Acceptance: Minutes of Mar 18, 2019 7:00 PM (Approval of Minutes)

Motion by Alderman Dickerson and second by Alderman Milner to adjourn. Motion carried.
Meeting adjourned at 7:52 p.m.

Brian Hasek, Mayor & Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Randall K. Jones, City Clerk

Minutes Acceptance: Minutes of Mar 18, 2019 7:00 PM (Approval of Minutes)



STAFF REPORT

TO: Board of Aldermen
FROM: Roger Kroh, Planner
DATE: February 27, 2019
SUBJECT: Southland Shopping Center Rezoning to C-2

Type of Item: *Rezoning*

Case No.: RZ-19-002

BOA Meeting: March 4, 2019

PZ Meeting: Feb. 21, 2019

GENERAL INFORMATION

Request: Approval of rezoning from "C-1" Local Business Zoning District to "C-2" Service Business Zoning District

Location: 1799-1811 East Mechanic St. and 204 - 208 Oriole

Applicant/Owner Representative: Kim Bartalos, Vice President of Real Estate Services
 Block Real Estate Services

Owner: Harrisonville LLC

Existing Zoning: "C-1" Local Business Zoning District

Proposed Zoning: "C-2" Service Business Zoning District

Acres: 6 acres

Adjacent Zoning: North: "R-2" Two Family Residential and
 "RP-4" Planned Apartment Residential
 South "R-1" Single Family Residential
 West: "R-1" Single Family Residential
 East: "C-1" Local Business, "C-2" Service Business and

“R-4” Apartment Residential

PLANNING AND ZONING COMMISSION ACTION: At their February 21, 2019 Planning and Zoning Commission (PZ) Meeting, there was only one member of the public in attendance and he did not speak on any agenda item. The PZ Commission unanimously recommended that the Board of Aldermen (BOA) approve the rezoning of the Southland Center from C-1 to C-2 subject to confirmation that the rezoning will not cause an existing tenant in the center that has furniture to become non-conforming. Staff has subsequently determined that the company would be permitted in the C-2 zoning district as retail and wholesale sales are permitted and occur at this location. At the PZ Commission meeting it was also discussed that Dollar General has been selling beer and wine since it opened in 2007 in the Southland Center. This is not a permitted use in the C-1 zoning district. Approval of the rezoning to C-2, which does allow the sale of alcoholic beverages, will bring Dollar General into conformance.

COMMENTS:

The City is in receipt of an application from Kim Bartalos, agent for Harrisonville LLC, owners of the 6-acre Southland Shopping Center at 1799-1811 East Mechanic St. and 204 - 208 Oriole St., to rezone the property from C-1 Local Business Zoning District to the C-2 Service Business Zoning District to allow a wider range of tenants in the existing center. Examples of C-2 uses that would have an interest in locating in the center are meeting halls, pet grooming, restaurants that serve alcohol, and automotive equipment sales. Uses allowed in C-2 not compatible with the area, i.e. truck, boat and farm machinery sales, would very likely not wish to locate on the Southland property anyway due to the traffic and visibility that is much less than on MO. 291.

REVIEW OF APPLICATION:

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

The character of the surrounding neighborhood is a mixture of single-family, duplexes, apartments, C-1 uses and C-2 uses. We believe that the C-2 uses drawn to the center will be compatible with the neighborhood.

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

The east-west corridor across the front of the Southland shopping center does not have the high traffic numbers as do many other major commercial corridors. C-2 uses that would potentially use the shopping center would be compatible with the neighborhood.

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

The proposed rezoning will help keep Southland more occupied than it has been in the past and reduce the potential that the area will appear to be deteriorating due to the vacancies in the center.

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

This application is unique in that the neighborhood center already exists. Only uses that are compatible with existing center will choose to locate there.

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.

Existing residential and non-residential development in the area is compatible. It is expected that C-2 uses will choose to locate there that are successful in such mixed-use areas.

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

The existing shopping center will define the type of development that will locate in the center and C-2 uses such as outdoor boat and truck sales are not expected to wish to locate at the Southland Center.

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

The types of uses that will go into Southland shopping center will not have higher sewer, water, parking and traffic requirements than the uses that now exist.

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

The subject property is currently suitable for the uses to which it has been used. It is also suitable to the C-2 uses that will wish to locate there.

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

The Southland Center has been plagued by vacancies in recently years. Rezoning the center to C-2 would help reduce the number of vacancies in the center. Increasing the number of uses that can locate in the center will improve the economic vitality of the area.

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

Vacancies in a neighborhood shopping center reflects negatively on the entire neighborhood. Reducing the number of vacancies will have a positive impact on the surrounding neighborhood.

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, as a result of denial of the application.

Denying the application will continue the past track record of vacancies in the Southland center. Approving the application will increase the chances that the center will be fully or near fully occupied and this will improve the economic vitality of the surrounding area. .

STAFF RECOMMENDATION: Approval--based upon the findings in the staff report.

Council Bill No.**Ordinance No.**

**An Ordinance to rezone the property described as the Southland Shopping Center
At 1799-1811 East Mechanic St. And 204-208 Oriole St. from the C-1 Local Business
Zoning District to the C-2 Service Business Zoning District in the City of
Harrisonville, Cass County, Missouri, and establishing an effective date.**

WHEREAS, an application was submitted to the City of Harrisonville (“City”) to rezone property described as the Southland Shopping Center at 1799-1811 East Mechanic St. and 204-208 Oriole St. from the C-1 Local Business Zoning District to the C-2 Service Business Zoning District in the City of Harrisonville, Cass County, Missouri;

WHEREAS, the Planning and Zoning Commission of the City of Harrisonville, after placing a legal notice in a newspaper of record and mailing a notice to all property owners within 185 feet of the property, conducted a public hearing on the application on February 21, 2019 and unanimously recommended with a vote of 7 Ayes and 0 Nays that the Board of Aldermen approve the rezoning to C-2 with certain conditions;

WHEREAS, staff has reviewed the request and found it to be compatible with the neighborhood;

WHEREAS, the Board of Aldermen of the City of Harrisonville, after placing a legal notice in a newspaper of record and mailing a notice to all property owners within 185 feet of the property, conducted a public hearing on the application on March 18, 2019;

WHEREAS, after considering the recommendation of the Planning and Zoning Commission, the recommendation from staff supporting the rezoning, input from the public on the property to be rezoned and the surrounding property for promoting the public health, safety, morals and general welfare of the community, the Board of Aldermen determined that the hereinafter described property should be rezoned and the rezoning is in the best interest of the City of Harrisonville and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF HARRISONVILLE, MISSOURI, AS FOLLOWS:

SECTION 1. That the following described property owned by Harrisonville LLC is hereby rezoned from the C-1 Local Business Zoning District to the C-2 Service Business Zoning District in the City of Harrisonville, Cass County, Missouri, to-wit:

ALL THAT PART OF LOTS 4 AND 5 OF THE NORTHWEST QUARTER OF

SECTION 3, TOWNSHIP 44, RANGE 31, IN THE CITY OF HARRISONVILLE, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT 40 RODS EAST OF THE SOUTHWEST CORNER OF LOT 4 OF THE NORTHWEST QUARTER OF SAID SECTION 3; THENCE NORTH 0 DEGREES 01 MINUTE 43 SECONDS WEST, 1465.33 FEET; THENCE EAST 292.96 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING 40.00 FEET SOUTHEASTERLY OF STATION 584+50 OF MISSOURI STATE HIGHWAY NO. 7, AND IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID HIGHWAY NO. 7; THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE ON A CURVE TO THE LEFT WITH A RADIUS OF 4337.18 FEET, AND A CHORD BEARING OF NORTH 60 DEGREES 55 MINUTES 12 SECONDS EAST, A DISTANCE OF 470.14 FEET; THENCE SOUTH 28 DEGREES 24 MINUTES 10 SECONDS EAST, ALONG THE WESTERLY LINE OF ORIOLE STREET, 232.96 FEET; THENCE FOLLOWING THE WESTERLY LINE OF ORIOLE STREET ON A CURVE TO THE RIGHT HAVING A RADIUS OF 575.48 FEET AND A CHORD BEARING OF SOUTH 16 DEGREES 30 MINUTES 24 SECONDS EAST, A DISTANCE OF 238.97 FEET; THENCE SOUTH 76 DEGREES 48 MINUTES 07 SECONDS WEST, 4.68 FEET; THENCE SOUTH 24 DEGREES 24 MINUTES 05 SECONDS WEST, 70.12 FEET; THENCE SOUTH 63 DEGREES 00 MINUTES 00 SECONDS WEST 185.00 FEET; THENCE SOUTH 76 DEGREES 04 MINUTES 51 SECONDS WEST, 296.98 FEET; THENCE NORTH 15 DEGREES 26 MINUTES 29 SECONDS WEST, 300.13 FEET; THENCE NORTH 24 DEGREES 23 MINUTES 58 SECONDS WEST, 121.55 FEET, TO A POINT IN THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 7; THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE, ON A CURVE TO THE LEFT WITH A RADIUS OF 4347.18 FEET AND A CHORD BEARING OF NORTH 64 DEGREES 30 MINUTES 24 SECONDS EAST, A DISTANCE OF 35.76 (MEASURED 35.70 FEET) FEET; THENCE NORTH 25 DEGREES 57 MINUTES 55 SECONDS WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

SECTION 2. That the official zoning map of the City of Harrisonville shall be amended to reflect said changes in zoning.

SECTION 3. That this ordinance shall be in full force and effect from and after the date

of its passage and approval.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Vote taken as follows:

AYES:

NAYS:

ABSENT:

ABSTAIN:

Read for the first time by title only on the 18th day of March 2019. Read for the second time by title only on the ____ day of April 2019 and was duly approved by the Board of Aldermen this ____ day of April 2019.

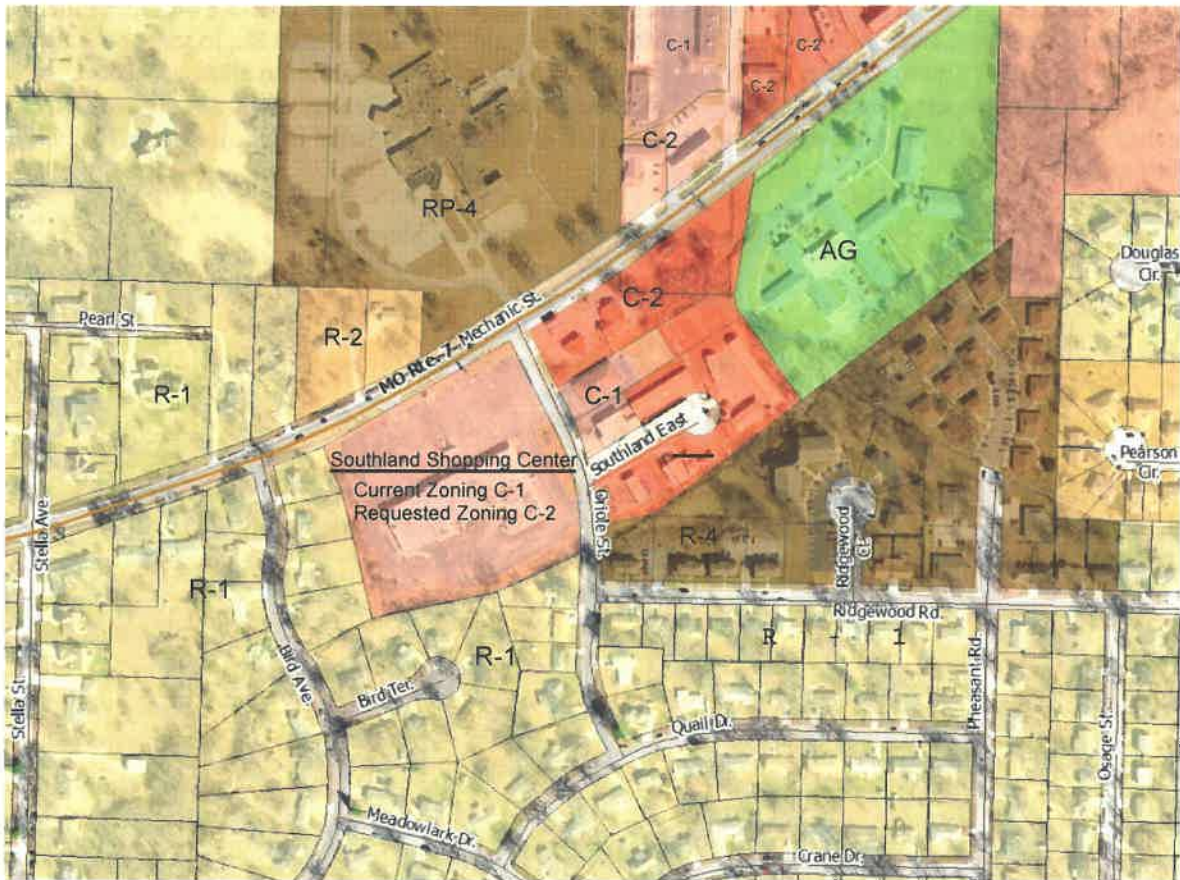
Brian Hasek, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Randall K. Jones, City Clerk

APPROVED by the Mayor this ____ day of _____, 2019

VICINITY MAP



Attachment: Vicinity Zoning Map-Southland (Southland Shopping Center Rezoning to C-2)



DRAFT
MINUTES
CITY OF HARRISONVILLE
PLANNING & ZONING COMMISSION
REGULAR MEETING
CITY HALL
FEBRUARY 21, 2019
6:00 PM

1. Call to Order

The meeting was called to order at 6:00 PM by Chair Chris Chiodini

Attendee Name	Organization	Title	Status	Arrived
Chris Chiodini	Harrisonville	Chair	Present	
Scott Milner	Harrisonville		Present	
Brian Hasek	Harrisonville	Mayor	Present	
Jim Proctor	Harrisonville		Present	
Virgil Butler	Harrisonville		Absent	
Dorothy Young	Harrisonville	Vice-Chair	Present	
Cheryl Bush	Harrisonville		Present	
Barrett Welton	Harrisonville		Present	

Also in attendance were Roger Kroh, Community Development Planner; Brad Bockelman, Board Liaison; and Jamie Martin, Recording Secretary.

2. Approval of Minutes

A. Planning & Zoning Commission - Regular Meeting - Jan 3, 2019 6:00 PM

Dorothy Young made a motion to amend the minutes of the January 3, 2019 meeting by referencing the discussion on how the city will handle non-conforming signs. Brian Hasek seconded the motion.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Dorothy Young, Vice-Chair
SECONDER:	Brian Hasek, Mayor
AYES:	Chiodini, Milner, Hasek, Proctor, Young, Bush, Welton
ABSENT:	Virgil Butler

3. Agenda Items

A. Rezoning the Southland Shopping Center from "C-1" Local Business Zoning District to "C-2" Service Business District and Public Hearing

Roger Kroh presented Packet Pages 4-9, application for proposed Rezoning of the Southland Shopping Center from "C-1" to "C-2". The proposed change would expand the shopping center to a broader range of uses, such as meeting rooms, restaurants that serve alcohol, alcohol sales, pet groomers, pet stores and automotive equipment sales. This would help marketing the shopping center, leading to fewer vacancies and maintaining the neighborhood. Mr. Kroh said that there are some C-2 uses that are not compatible with the neighborhood. But, he believes the chances of these uses locating at Southland are very small because the shopping center already exists and these businesses, such as boat and farm machinery sales, prefer sites with more traffic and visibility.

The Public Hearing was opened.

Kim Bartalos, agent for Harrisonville LLC, stated that this change would fix current issues with the Shopping Center. The change from "C1" to "C2" would allow her to lease spaces to a wider range of businesses including; restaurants that sell alcohol, pet groomers, pet stores and others. She said the rezoning to C-2 will also fix the situation in which Dollar General has been selling beer and wine for nearly 15 years. This is not a C-1 use. Kim Bartalos added that an existing tenant is storing Scandinavian furniture and she is not sure if this is a C-1 or C-2 use. Chris Chiodini asked staff to research whether the furniture business will be conforming or non-conforming if the C-2 zoning is approved.

Brian Hasek moved that the rezoning of the Southland Shopping Center from C-1 (Local Business Zoning District) to C-2 (Service Business District) Zoning be forwarded to the Board of Aldermen with a favorable recommendation subject to the existing uses in the center being permitted in the C-2 Zoning District. Dorothy Young seconded the motion.

RESULT:	RECOMMENDED FOR BOARD APPROVAL [UNANIMOUS]
MOVER:	Brian Hasek, Mayor
SECONDER:	Dorothy Young, Vice-Chair
AYES:	Chiodini, Milner, Hasek, Proctor, Young, Bush, Welton
ABSENT:	Virgil Butler

B. Application for Replat of "The Oaks".

Roger Kroh presented Packet Pages 10-15, request of John Coffey, owner of The Oaks Manufactured Home Park, that the City approve The Oaks Replat, a Replat of Lots 12, 13, 14 and the recreation area of The Oaks, Second Addition. The replat increases the lots from 34 to 37 and moves the .77 acre recreation area to a 1.1 acre area on the south property line of The Oaks. The City Engineer has approved the stormwater master plan.

Brian Hasek made a motion to recommend that the Board of Aldermen approve the replat subject to the applicant obtaining certificates and flood plain development permits when required by Code. Dorothy Young seconded the motion. The motion passed unanimously.

RESULT:	RECOMMENDED FOR BOARD APPROVAL [UNANIMOUS]
MOVER:	Brian Hasek, Mayor
SECONDER:	Dorothy Young, Vice-Chair
AYES:	Chiodini, Milner, Hasek, Proctor, Young, Bush, Welton
ABSENT:	Virgil Butler

4. Discussion Items

NA

5. Adjourn

Respectfully Submitted,

Jamie Martin, Recording Secretary



STAFF REPORT

TO: Board of Aldermen
FROM: Roger Kroh, Planner
DATE: March 5, 2019
SUBJECT: Meadow View Subdivision Rezoning

Type of Item: *Public Hearing*

City of Harrisonville, MO

Notice of Public Hearing

Notice is hereby given of a technical correction amendment to zoning in the Meadow View Subdivision in the general vicinity of lots on Fieldcrest Drive, Meghan Drive, Ridgewood Road, Quail Street, Duncan Circle and Meadowlark Drive, all of which are behind and east of lots fronting onto Brookridge Drive. The amendment filed by the City Administrator corrects an error in the legal description in the ordinances that rezoned this area in 1986. The proposed ordinance will leave the existing multi-family housing with the existing R-4 Medium District Apartment District zoning, but rezone the existing single family homes from R-4 to R-1 Single-family Residential District zoning.

More specifically, the area to be rezoned from R-4 to R-1 are Lots 74 thru 78 and Lots 85 thru 89, Meadow View 6th Addition; Lots 61 thru 73-A and Lots 105 thru 114, Meadow View 7th Addition; Lots 82 thru 84, Lots 90 thru 100, and Lots 102 thru 104, Meadow View 8th Addition, all being subdivisions of land in the City of Harrisonville, as previously platted and recorded in the Office of the Recorder of Deeds, Cass County, Missouri.

The current R-4 zoning will not be changed on Lots 79, 80 and 101, Meadow View 6th Addition; and Lot 81, Meadow View 8th Addition, both being subdivisions of land in the City of Harrisonville, as previously platted and recorded in the Office of the Recorder of Deeds, Cass County, Missouri.

The amendment is available for public review at City Hall. The Planning and Zoning Commission will conduct a public hearing on Thursday, March 21, 2019 at 6 PM and the Board of Aldermen will conduct a public hearing on Monday, April 1, 2019 at 7 PM. Both hearings will be held at City Hall at 300 E. Pearl Street in Harrisonville, MO 64701. All interested parties are encouraged to attend. For more information please call Roger Kroh, Harrisonville Community Development Planner, at (816) 380-8922.

Jamie Martin

Secretary to the Board of Zoning Adjustment

B. Discussion Item (ID # 3131)

Meadows Subdivision Rezoning



TO: Board of Aldermen
FROM: Roger Kroh, Planner
DATE: March 27, 2019
SUBJECT: Meadowview Rezoning--Board

Type of Item: *Approval*

See attached

Council Bill No.**Ordinance No.**

An Ordinance of the City of Harrisonville to amend the Zoning Map for Lots 74 thru 78 and Lots 85 thru 89, Meadow View 6th Addition; Lots 61 thru 73-A and Lots 105 thru 114, Meadow View 7th Addition; Lots 82 thru 84, Lots 91 thru 100, and Lots 102 thru 104, Meadow View 8th Addition from R-4 Apartment Residential District to R-1 Single Family Residential District, and establishing an effective date.

WHEREAS, it has come to the attention of the staff of the City of Harrisonville (“City”) that in 1986 a total of 50 existing single family lots surrounding the multi-family housing between Meghan Drive and Fieldcrest Drive were zoned R-4 Apartment Residential District (“R-4”) due to an incorrect legal description provided to the City; and

WHEREAS, the City has recently been advised that the intent was that in 1986 the 50 lots were to be zoned R-1 Single Family Residential District (“R-1”); and

WHEREAS, since 1986 a total of 50 single-family homes and a detention basin have been built on these lots; and

WHEREAS, the City is recommending that the zoning be corrected for the 50 single family lots and the lot with the detention basin by rezoning them to R-1 as originally intended in 1986; and

WHEREAS, there are 2 lots which now have fourplex apartments, one lot with a duplex apartment and 3 vacant lots originally planned for duplexes. These 6 lots are to remain R-4.

WHEREAS, City staff has recommended that the City approve amendments to its zoning map rezoning 50 lots in the Meadow View Subdivision from R-4 to R-1; and

WHEREAS, the Planning and Zoning Commission conducted a public hearing on March 21, 2019, and after considering the staff recommendation and input from the public unanimously approved a motion to recommend that the Board of Aldermen approve an Amendment to the zoning map that rezones 50 lots in the Meadow View Subdivision from R-4 to R-1; and

WHEREAS, the Board of Aldermen conducted a public hearing on April 1, 2019 and after considering input from the public and the recommendation from the Planning and Zoning Commission, believe that it is in the best interest of the City to approve an Amendment to the zoning map that rezones 50 lots in the Meadow View Subdivision from R-4 to R-1.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF HARRISONVILLE, MISSOURI, AS FOLLOWS:

SECTION 1. That the following described property in the Meadow View Subdivision is hereby rezoned from the R-4 Apartment Residential District to the R-1 Single-Family Residential District in the City of Harrisonville, Cass County, Missouri, to-wit:

All that part of Lots 74 thru 78 and Lots 85 thru 89, Meadow View 6th Addition; Lots 61 thru 73-A and Lots 105 thru 114, Meadow View 7th Addition; Lots 82 thru 84, Lots 91 thru Lot 100, and Lots 102 thru 104, Meadow View 8th Addition, all being subdivisions of land in the City of Harrisonville, as previously platted and recorded in the Office of the Recorder of Deeds, Cass County, Missouri as described in Exhibit I.

SECTION 2. That the following described property in the Meadow View Subdivision is to remain R-4 Apartment Residential District and not to be rezoned to the R-1 Zoning District.

The current R-4 zoning will not be changed on Lots 79, 80, and 101, Meadow View 6th Addition; and Lot 81 and 90, Meadow View 8th Addition, both being subdivisions of land in the City of Harrisonville, as previously platted and recorded in the Office of the Recorder of Deeds, Cass County, Missouri as described in Exhibit I.

SECTION 3. That the official zoning map of the City of Harrisonville shall be amended to reflect said changes in zoning.

SECTION 4. That this ordinance shall be in full force and effect from and after the date of its passage and approval.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Vote taken as follows:

AYES:

NAYS:

ABSTAIN:

ABSENT:

**READ FOR THE FIRST TIME BY TITLE ONLY ON THE 1 ST DAY OF APRIL 2019
AND WAS READ FOR A SECOND TIME BY TITLE ONLY ON THE ____ DAY OF
APRIL 2019 AND PASSED BY THE BOARD OF ALDERMEN THIS ____ DAY OF**

APRIL 2019.

Brian Hasek, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Randall K. Jones, City Clerk

WITNESS my hand and seal this _____ day of April 2019

Case No.: RZ 19-004

PZ Meeting: March 21, 2019

BOA Meeting: April 1, 2019

GENERAL INFORMATION

Request: Technical Correction Rezoning 50 lots from R-4 Medium Density Apartment District to R-1 Single-family Residential District

Location: Meadow View Subdivision single family lots surrounding the multi-family housing at Meghan Drive and Fieldcrest Drive

Applicant: Happy Welch, City Administrator
Roger Kroh, Community Development Planner

Planning Commission Recommendation: Unanimous Approval

It recently came to the attention of the city staff that 50 existing single family lots surrounding the multi-family housing between Meghan Drive and Fieldcrest Drive were zoned R-4 Medium Density Residential Apartment District (“R-4”) in the mid-1980s. We are now advised that the intent was that the 50 lots were to be zoned R-1 Single Family Residential District (“R-1”). While we are not aware that this has caused any problems, City staff is recommending that the zoning be corrected by re-zoning the 50 lots and detention pond to R-1 to be consistent with the fact that single family homes have been built on these lots. The 2 lots which now have fourplexes and one duplex will keep their R-4 zoning as will 3 vacant lots acquired many years ago on Meadow Lark Lane for duplexes.

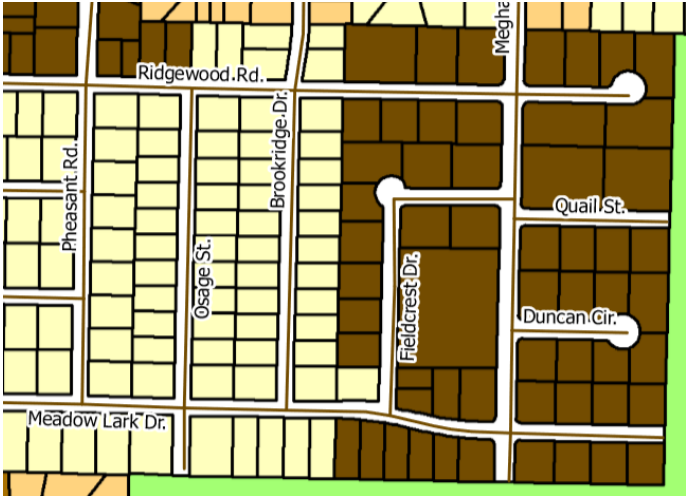
Attached are maps on the next page showing the existing and proposed zoning. The change in zoning will not create any non-compliance issues with properties.

Attachment: M. View Staff Report hw rvw (Meadowview Rezoning--Board)

LEGEND

	R-1 Single-family Residential Zoning District
	R-4 Medium Density Apartment Zoning District

EXISTING ZONING



PROPOSED RE-ZONING

	Proposed rezoning to R-1 Single-family Residential Zoning District. No change to properties without yellow dots.
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Note change since legal notice. Staff is now proposing that the lot at the southwest corner of Meadowlark Dr. and Meghan Dr. not change from R-4 to R-1 as it was acquired to be used for a duplex.

REVIEW OF APPLICATION:

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

Address	Lot No.	Existing Use	Existing Zoning	Proposed Rezoning
Meadowlark Drive				
2601	85	Single family	R-4	R-1
2603	86	Single family	R-4	R-1
2605	87	Single family	R-4	R-1
2607	88	Single family	R-4	R-1
2609	89	Single family	R-4	R-1
N. side Meadowlark mid block	80	Vacant	R-4	R-4
NWC Meadowlark and Meghan	81	Vacant	R-4	R-4
SWC Meadowlark and Meghan	90	Vacant	R-4	R-4
2612	82	Single family	R-4	R- 1
2613	91	Single family	R-4	R-1
2614	83	Single family	R-4	R-1
2615	92	Single family	R-4	R-1
2616	84	Single family	R-4	R-1
2617	93	Single-family	R-4	R-1
2618	95	Single-family	R-4	R-1
2619	94	Single-family	R-4	R-1
Fieldcrest Dr.				
500	73	Single-family	R-4	R-1
503-557	101	Multi-family	R-4	R-4
504	73-A	Single-family	R-4	R-1
506	74	Single-family	R-4	R-1
600	75,76	Single- family	R-4	R-1
602	77	Single-family	R-4	R-1
606	78	Single-family	R-1	R-1
607	79	Duplex	R-4	R-4
Duncan St.				
2612	100	Single family	R-4	R- 1
2613	99	Single family	R-4	R-1
2614	102	Single family	R-4	R-1

2615	98	Single family	R-4	R-1
2616	103	Single family	R-4	R-1
2617	97	Single-family	R-4	R-1
2618	104	Single-family	R-4	R-1
2619	96	Single-family	R-4	R-1
Quail St				
2600	72	Single-family	R-4	R-1
2606	71	Single family	R-4	R-1
2607	70	Single family	R-4	R-1
2610	68	Single family	R-4	R-1
2613	108	Single family	R-4	R-1
2615	107	Single-family	R-4	R-1
2617	106	Single-family	R-4	R-1
2618	109	Single-family	R-4	R-1
2619	105	Single-family	R-4	R-1
Ridgewood Rd.				
2600	61	Single-family	R-4	R-1
2605	64	Single family	R-4	R-1
2606	62	Single family	R-4	R-1
2607	65	Single family	R-4	R-1
2609	66	Single family	R-4	R-1
2610	63	Single-family	R-4	R-1
2611	67	Single-family	R-4	R-1
2612	111	Single-family	R-4	R-1
2613	110	Detention Basis	R-4	R-1
2614	112	Single-family	R-4	R-1
2616	113	Single-family	R-4	R-1
2618	114	Single-family	R-4	R-1

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

The area is predominantly single-family residential surrounding the Fieldcrest fourplexes and duplexes.

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

The area under consideration was approved as a mixed-use project to provide a variety of housing types.

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

The mix of single and multi-family housing has been a strong and viable neighborhood since originally constructed.

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.

There has been no change in the density since originally constructed. The proposed rezoning is to make the zoning consistent with housing that has been constructed.

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

The proposed rezoning of the single-family lots from R-4 to R-1 will protect the value of this portion of Meadow View as constructed.

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

The infrastructure and services have adequately served the subdivision since it was originally developed.

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

This portion of Meadow View with its multi-family and single-family housing has proven to be a suitable use of the property as constructed.

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

Only 5 developable lots have remained vacant since the project was approved and constructed in the late 1980s.

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

The proposed rezoning of the single-family homes from R-4 to R-1 will protect the value of those homes

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.

If the re-zoning of the single-family homes from R-4 to R-1 is denied, there is a risk that a property owner in the future could split up the home into apartments.

STAFF RECOMMENDATION: Approve motion recommending that the Board of Aldermen approve an ordinance calling for an area to be rezoned from R-4 to R-1 that includes Lots 74 thru 78 and Lots 85 thru 89, Meadow View 6th Addition; Lots 61 thru 73-A and Lots 105 thru 114, Meadow View 7th Addition; Lots 82 thru 84, Lot 100, and Lots 102 thru 104, Meadow View 8th Addition, all being subdivisions of land in the City of Harrisonville, as previously platted and recorded in the Office of the Recorder of Deeds, Cass County, Missouri.

The current R-4 zoning will not be changed on Lots 79, 80, and 101, Meadow View 6th Addition; and Lot 81 and 90, Meadow View 8th Addition, both being subdivisions of land in the City of Harrisonville, as previously platted and recorded in the Office of the Recorder of Deeds, Cass County, Missouri.



TO: Board of Aldermen
FROM: Randy Jones, City Clerk
DATE: March 29, 2019
SUBJECT: Rezoning Public Hearing

Type of Item: *Public Hearing*

City of Harrisonville, MO

Notice of Public Hearing

Notice is hereby given of public hearings to receive public input on amendments proposed by the City Administrator to allow a Body Shop as a permitted use in the M-1 Light Industrial Zoning District as set forth in the Code of Ordinances of the City of Harrisonville, Missouri, specifically Section 405.485, Permitted Uses (in the M-1 zoning district), Section 405.030, Definitions and Rules of Construction, and as needed to supplement the amendment which is available for public review at City Hall. The Planning and Zoning Commission will conduct a public hearing on the amendments on Thursday, March 21, 2019 at 6 PM and the Board of Aldermen will conduct a public hearing on the amendments on Monday, April 1, 2019 at 7 PM. Both hearings will be conducted at City Hall at 300 E. Pearl Street in Harrisonville, MO 64701. All interested parties are encouraged to attend the public hearings. For more information please call Roger Kroh, Harrisonville Community Development Planner, at (816) 380-8922.

Jamie Martin

Secretary to the Board of Zoning Adjustment

D. Discussion Item (ID # 3149)

Rezoning Public Hearing



STAFF REPORT

TO: Board of Aldermen
FROM: Roger Kroh, Planner
DATE: March 27, 2019
SUBJECT: M-1 Body Shop

Type of Item: *Approval*

Case No.: CA 19-005

PZ Meeting: March 21, 2019

BOA Meeting: April 1, 2019

GENERAL INFORMATION

Request: Amend zoning ordinance to add Body Shops as a permitted use in Section 405.485, Permitted Uses in the M-1 Limited Industrial Zoning District.

Location: All M-1 Zoned Districts

Applicant Happy Welch, City Administrator
Roger Kroh, Community Development Planner

Planning Commission recommendation: Unanimous approval.

The city received a zoning inquiry from Trenton Casey who would like to acquire an industrial building at 27307 South East Outer Road in the M-1 Limited Industrial District for his body shop business that presently leases space in Belton. In researching his request, we discovered that Body Shops, while not permitted in the M-1 Zoning District, are a permitted use in the C-2 and M-2 zoning districts.

Staff also found that we currently have several body shops in the city in M-1 zoned areas at 1100 Industrial Boulevard and 2500 Anaconda Road. As we are not aware of any problems that have been caused by these body shops in the M-1 district, staff recommends that the Board of Aldermen amend the M-1 zoning district provisions to allow Body Shops as permitted uses. The

amendment will bring the existing Body Shops in the M-1 district into compliance and allow for future Body Shops in the M-1 district.

STAFF RECOMMENDATION: Approval.

E. Action Item (ID # 3146)

An ordinance of the City of Harrisonville repealing Section 405.485 of the M-1 Light Industrial Zoning District and enacting in lieu thereof a new Section 405.485 to allow as a permitted use Automobile/Truck Body Shops, and establishing an effective date.

WHEREAS, the City staff of the City of Harrisonville (“City”) found that motor vehicle body shops (“Body Shops”) are not permitted uses under the Zoning Regulations in the M-1 Light Industrial District whereas body shops are permitted uses in the C-2 Service Business District and the M-2 General Industrial District; and

WHEREAS, City staff recommended that the City approve an amendment to City Code Section 405.485 Permitted Uses in the Zoning Regulations (the “Amendment”) to allow Body Shops as permitted uses in the M-1 Light Industrial District as staff believes it is appropriate for Body Shops to be a permitted use in the M-1 Light Industrial District as Body Shops are allowed in the C-2 and M-2 zoning districts; and .

WHEREAS, the Planning and Zoning Commission conducted a public hearing on March 21, 2019, and after considering the staff recommendation and input from the public unanimously approved a motion to recommend that the Board of Aldermen approve the Amendment to allow Body Shops as a permitted use in the M-1 Light Industrial District; and

WHEREAS, the Board of Aldermen conducted a public hearing on April 1, 2019 and after considering input from the public and the recommendation from the Planning and Zoning Commission and City staff, believe that it is in the best interest of the City to amend Section 405.485 to allow Body Shops as a permitted use in the M-1 Light Industrial District.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, AS FOLLOWS:

Section 1. The Board of Aldermen (“Board”) hereby repeals Code Section 405.485, Permitted Uses under Chapter 405 Zoning Regulations, Article XVII “M-1 Light Industrial District” and enacts in lieu thereof the following new Code Section 405.485 to read as follows:

405.485 Permitted Uses

A. In District "M-1", no building, structure, land or premises shall be used, no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered except for one (1) or more of the following uses:

1. Manufacturing, processing, fabrication, assembling, disassembling, packaging, repairing, cleaning, servicing or testing of any commodity except junk or salvage.
2. Warehousing, wholesaling and storage of any commodity except junk or salvage.
3. Body shops, a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting.
4. Freight terminals.
5. Public and private utility facilities.
6. Structures and uses clearly accessory and necessary to the normal operation of the above uses, including signs as authorized by these regulations.

Section 2. That this ordinance shall become effective immediately upon its passage and approval.

Section 3. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

VOTE TAKEN AS FOLLOWS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

READ FOR THE FIRST TIME BY TITLE ONLY ON THE 1 ST DAY OF APRIL 2019 AND WAS READ FOR A SECOND TIME BY TITLE ONLY ON THE ____ DAY OF APRIL 2019 AND PASSED BY THE BOARD OF ALDERMEN THIS ____ DAY OF APRIL 2019.

Brian Hasek, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:

Randall K. Jones, City Clerk

WITNESS my hand and seal this _____ day of April 2019



STAFF REPORT

TO: Board of Aldermen
FROM: Happy Welch, City Administrator
DATE: March 28, 2019
SUBJECT: City Admin Rpt 4-1-2019

Type of Item: Report

CITY ADMINISTRATOR REPORT

April 1, 2019

1. The police department has signed up 2 recruit cadets to initiate the training program with the Cass County Sheriff's Academy and they begin work April 1. The Academy is a 600 hour POST certified program and we hope to have these two cadets brought on as fulltime probationary officers in September this year.
2. I will be out of the office Wednesday and Thursday, April 10 & 11 at an MPR Conference in Independence, MO.
3. Our citywide cleanup days for spring will be Friday and Saturday, May 10 & 11, at the Municipal Waste Services location on Rock Haven Road from 8a-4p both days. Household Hazardous Waste drop off will be Saturday, June 1 at the Street Shed on Independence from 8a-noon.
4. A couple of Love the Square Committee meetings will be held here at city hall on April 3 and April 8 as they work on setting up committees to begin the process of the 4 Point Approach from the Missouri Main St. Connection. Both of those meetings start at 6p.
5. We have our colors chosen (which includes a reddish brick and Wildcat Blue) and are working on the layout of the website redo. We've checked what pages get the most visitors and we will put links to those areas with dedicated buttons near the top of the page. We continue to work on consolidating web pages and information to make the new site less bulky and easier to navigate.

A. Action Item (ID # 3147)

City Admin Rpt 4-1-2019