



**AGENDA
CITY OF HARRISONVILLE
PLANNING & ZONING COMMISSION
REGULAR MEETING
CITY HALL
JUNE 18, 2020
6:00 PM**

"This meeting of the Planning Commission will be held at City Hall, 300 E. Pearl St, Harrisonville, MO 64701 and recommended social distancing practices will be followed due to the threat of Covid-19. The meeting will not be conducted on Zoom.com as have previous Planning Commission meetings during the Covid-19 epidemic."

- 1. Call to Order**
 - A. Roll Call**
- 2. Approval of Minutes**
 - A. Planning & Zoning Commission - Regular Meeting - Apr 16, 2020 6:00 PM**
- 3. Agenda Items**
 - A. Rezoning from M-1 to R-1 at 2801 Brookhart Dr.- PUBLIC HEARING**
 - B. Cedarhurst Final Plat**
- 4. Discussion Items**
- 5. Adjourn**

Posted this 11th day of June, 2020

Randall K. Jones, City Clerk



DRAFT
MINUTES
CITY OF HARRISONVILLE
PLANNING & ZONING COMMISSION
REGULAR MEETING
CITY HALL
APRIL 16, 2020
6:00 PM

1. Call to Order

The meeting was called to order at 6:01 PM by Chair Chris Chiodini

Attendee Name	Organization	Title	Status	Arrived
Chris Chiodini	Harrisonville	Chair	Present	
Scott Milner	Harrisonville		Present	
Judy Bowman	Harrisonville	Mayor	Present	
Virgil Butler	Harrisonville		Present	
Dorothy Young	Harrisonville		Present	
Cheryl Bush	Harrisonville	Board Member	Present	
Barrett Welton	Harrisonville		Present	
Wilbert Crawford	Harrisonville		Present	

Also in attendance were Graham and Sandra Gentry, Applicants; John Coffey, Applicant; Darron Amman, Bartlett and West Engineering, Tina Charleville, Applicant Representative for Dover Development LLC; Matthew Turner, Alderman Liaison, Roger Kroh, Community Development Planner, and Jamie Martin, Recording Secretary.

2. Approval of Minutes

A. Planning & Zoning Commission - Regular Meeting - Feb 20, 2020 6:00 PM

With no additions or corrections, the minutes from the February 20, 2020, meeting were unanimously accepted.

Dorothy Young asked if the Planning Commission can meet and hold a public hearing using online conferencing and still meet open meeting requirements. Roger said that the City Attorney has reviewed the open meeting requirements in state statutes and opined, given the risk of the carona virus, that the City can use online conferencing as it notifies interested parties on the city website how they can participate in the meetings.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Dorothy Young
SECONDER:	Scott Milner

Minutes Acceptance: Minutes of Apr 16, 2020 6:00 PM (Approval of Minutes)

AYES: Chiodini, Milner, Bowman, Butler, Young, Bush, Welton, Crawford

3. Agenda Items

A. Preliminary Plat of Bounty Hill Plat 1

Roger Kroh presented the Preliminary Plat of Bounty Hill Plat 1. He reminded the Commission that Graham and Sandra Gentry had requested a Special Use Permit previously for Aquafresh Barramundi LLC at 4241 Brookhart Drive. This is a 12 acre lot that has been divided into 2 lots. Lot 1 is .74 acres and will become the global and US home of a distribution operation for BOSS Air Suspension. The larger lot, a little over 11 acres, will be home for an indoor aquaculture farm with living quarters and an indoor hydroponic farm for vegetable and herbs. They plan to add buildings as the business grows with the maximum number being 4 buildings for raising fish and 4 greenhouses. They are proposing a pond with a 15 foot statue that would be for storm detention. They are currently working with the State on holding tanks. Staff recommends approval of this plat as presented.

Dorothy Young asked if anything is been done with signage yet? Roger Kroh stated that no applications for sign permits have been received.

Wilbert Crawford made a motion to recommend approval as outlined in the staff report. Dorothy Young seconded the motion. A roll call vote was taken. The vote was unanimous.

RESULT: RECOMMENDED FOR BOARD APPROVAL [UNANIMOUS]
MOVER: Wilbert Crawford
SECONDER: Dorothy Young
AYES: Chiodini, Milner, Bowman, Butler, Young, Bush, Welton, Crawford

B. Final Plat of Bounty Hill, Plat 1

Roger Kroh presented the Final Plat of Bounty Hill, Plat 1. He stated that the Plat meets all planning requirements of the City.

Wilbert Crawford made a motion to recommend approval as outlined. Scott Milner seconded the motion. A roll call vote was taken. The vote was unanimous.

RESULT: RECOMMENDED FOR BOARD APPROVAL [UNANIMOUS]
MOVER: Wilbert Crawford
SECONDER: Scott Milner
AYES: Chiodini, Milner, Bowman, Butler, Young, Bush, Welton, Crawford

C. Special Use Permit - Cedarhurst of Harrisonville - Public Hearing

Roger Kroh presented a Special Use Permit application from Dover Development, LLC, to operate the Cedarhurst of Harrisonville Assisted Living and Memory Care facility at 2606 Rockhaven Road. This project will consist of a one-story, 73-unit building at an estimated cost of \$10.75 million. The plans include 3 open air courtyards, a salon/spa, theatre and other amenities. The staff will provide meals and assist with daily living.

There will be a secured memory care unit as well. This would bring approximately 50 jobs to the city.

Dorothy Young asked if the status of the SUP could be revisited if the operation is sold or in question. Roger Kroh stated that there are stipulations that have to be followed. If conditions are broken, a public hearing would be conducted to reconsider the special use permit.

Virgil Butler asked about the facade. He stated he would like it to stay the same as the Cass Regional Medical Center. Mr. Kroh said that the City does not have any exterior requirements. Exterior façade requirements are something that the Planning Commission should discuss when regulations are updated.

Dorothy Young asked about staffing, how many professional positions and how many entry level positions? Tina Charleville, Development Director for Dover Development, stated that it would be a mix of full and part time employees. There would be an executive director for the facility, nurses, LPN's, med-techs, housekeeping, dietary staff and others. They do not use staffing agencies. All hiring is done by the facility.

Mr. Kroh introduced Tina Charleville and Darron Amman, Engineer for Bartlett and West, to the Commission. Ms. Charleville stated that a Certificate of Need was received from the State of Missouri. Dover Development operates 35 similar facilities in the Midwest, Georgia and Florida. There is a great need for this type of facility in this area.

Roger Kroh stated this proposal will remove blighted buildings at the old Heritage Tractor provide for construction of a 70,000 sq. ft., 1 story building with 70 to 75 units. Staff recommends a permanent term on this Special Use Permit due to the size of the investment. Cass County Regional Medical Center also has a permanent SUP.

Chairman Chiodini opened the Public Hearing. No questions or comments were asked.

Chairman Chiodini closed the Public Hearing.

Mayor Bowman made a motion to recommend the Special Use Permit for the operation of Cedarhurst of Harrisonville at 2606 Rockhaven Road to the Board of Alderman for approval. Wilbert Crawford seconded the motion. A roll call vote was taken and the motion passed unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Judy Bowman, Mayor
SECONDER:	Wilbert Crawford
AYES:	Chiodini, Milner, Bowman, Butler, Young, Bush, Welton, Crawford

D. Rezoning from M-1 to R-4, 708 Lindbergh St. - Public Hearing

Roger Kroh presented an application from John Coffey and Southview Properties to rezone 708 Lindbergh St from M-1 Limited Industrial District to R-4 Apartment Residential District. This request is so the 2 abandoned and dilapidated 3-plexes can be rehabilitated into 2 duplexes for a total of 4 units. Mr. Kroh stated that if the 3-plexes had remained occupied, rezoning would not be necessary as they would have been legal non-conforming. To do the rehab, the property will have to be rezoned to make it legal. Staff met with several of the surrounding property owners to see if they would also like to rezone their property from M-1 to R-4. They are very supportive of the redevelopment, but would like to stay with their current zoning because they believe it makes their

property more valuable. Another nearby landowner, Terry Dowling, has a commercial building that fronts Commercial Street and backs up to the properties on Lindbergh Street. He was originally opposed to the rezoning, but when he found out the application was John Coffey, he said he felt better about the project as he knows Mr. Coffey will do a good job. Last, the property owners at 1801 Oakland would like to see 708 Lindbergh Street redeveloped, but do not want their property to be rezoned to R-4.

Mr. Kroh introduced John Coffey of Southview Properties to the Commission.

Chairman Chiodini opened the Public Hearing.

Mr. Chiodini asked if the garage that was mentioned in the staff report will be renovated or completely rebuilt. Mr. Coffey stated that it will be renovated and will be behind the homes so it will not look any different from the street.

Alderman Turner state that he had lived in the 3-plexes a long time ago and that he is glad Mr. Coffey is fixing them up.

Dorothy Young stated she is concerned about spot zoning but also sees a need to fix up the properties. She asked if the properties would be grandfathered in if in the future the master plan included rezoning the whole strip along Lindbergh to M-1 or C-2. Mr. Kroh stated that they would be. They would be legal non-conforming.

With no questions from the public, Chairman Chiodini closed the Public Hearing.

Wilbert Crawford made a motion to recommend approval to the Board of Alderman the rezoning of 708 Lindbergh Street from M-1 to R-4. Virgil Butler seconded the motion. A roll call vote was taken and the motion passed unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Wilbert Crawford
SECONDER:	Virgil Butler
AYES:	Chiodini, Milner, Bowman, Butler, Young, Bush, Welton, Crawford

4. Discussion Items

Mr. Kroh stated that there would be a scheduled regular meeting in May.

5. Adjourn

With nothing further to come before the Commission, Virgil Butler made a motion to adjourn. Scott Milner seconded. The meeting was adjourned at 6:54 PM.

Chris Chiodini,
Chairperson of the Planning & Zoning Commission

Regular Meeting**Thursday, April 16, 2020****6:00 PM**

ATTEST:

Jamie Martin, Secretary

Minutes Acceptance: Minutes of Apr 16, 2020 6:00 PM (Approval of Minutes)



STAFF REPORT

TO: Planning & Zoning Commission
FROM: Roger Kroh, Planner
DATE: June 10, 2020
SUBJECT: Rezoning from M-1 to R-1 at 2801 Brookhart Dr.

Type of Item: *Approval*

GENERAL INFORMATION

PUBLIC HEARING

Applicant: David and Roberta Donnell
523 Whisper Lane, Belton, MO 64012

Requested Actions: Approve Rezoning to R-1 Single-family Residential

Date of Application: May 29, 2020

Location: 2801 Brookhart Dr.

Property Owners Kenneth Cox
19001 E. 299th St., Harrisonville, MO 64701

Acres .95 acres

Zoning M-1 Light Industrial District

PROPOSAL

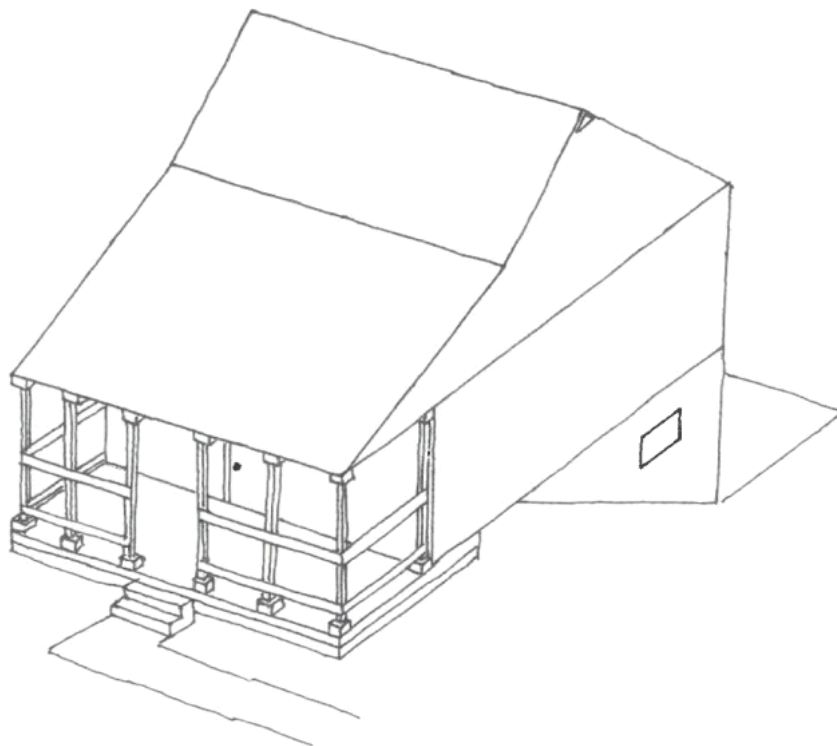
The City has received an application from David and Roberta Donnell to rezone a .95-ac. tract at 2801 Brookhart Drive from M-1 Light Industrial District zoning to R-1 Single-

Family Residential District so they may remove a vacant and blighted basement home and build a new single-family home on the property. The existing basement house has been vacant for a long period time and so the property has lost its legal non-conforming rights. Therefore, the Donnell's are requesting that the property be rezoned to R-1 Single-family so they might build a new house on the property.

Vicinity Map



Preliminary Sketch of House



Sketch Showing Removed of Vacant Basement Home and Location of New Home and Detached Garage



STAFF COMMENTS AND SUGGESTIONS

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.

North: M-1 Light Industrial

East: I-49 and C-2 Service Business District on east side of interstate.

South: Agriculture. Existing residence.

West: M-1 Light Industrial. Existing residence.

Even though 2801 Brookhart Dr. is in the M-1 light industrial portion of the city, we do not believe this .95 ac. tract will develop as industrial due to its small and narrow size and the fact that it sits on the side of a hill between Brookhart Dr. and I-49.

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

The .95 ac. tract is small and narrow size and sits on the side of a hill between Brookhart Dr. and I-49.

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

The Comprehensive Plan shows the future land use for this area as industrial. However, we do not believe 2801 Brookhart drive will develop as industrial due to its size and topography.

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

Staff believes the property is more suitable as residential rather than industrial.

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 property west of 2801 Brookhart will undoubtedly develop as industrial. However, one cannot predict how quickly it will develop as it has limited sewers and electricity.

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

Removing the blight situation that now exists will certainly improve nearby properties. See email with the staff report from two neighboring residential property owners.

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

There are adequate public facilities to serve the one house that is proposed.

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

We see the existing M-1 zoning as not appropriate for 2801 Brookhart Drive due to its small size, hilly topography and narrow configuration between Brookhart and I-49.

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

We are not certain of the length of time that the properties have been vacant, but we believe that it has been for at least several years.

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

Based on the conversations with the two residential neighbors, the rezoning to allow the existing basement house to be replaced with a new house 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.

Denying the application would allow a blighted situation to remain with the problems stemming from it. Staff believes that the City should rezone 2801 Brookhart Dr. to R-1 Single-family residential so that t new home can replace the existing vacant and blighted basement home.

STAFF RECOMMENDATIONS

Approve a recommendation that the Board of Aldermen approved an ordinance rezoning 2801 Brookhart Dr. from M-1 Light Industrial to R-1 Single Family Residential.

ATTACHMENTS

Memorandum from Applicant

Emails from Neighbors

STAFF CONTACT: Roger Kroh, Community Development Planner

A. Action Item (ID # 3532)

Rezoning from M-1 to R-1 at 2801 Brookhart Dr.

Attachments:

Memo from Applicant(PDF)

Emails from Neighbors (DOCX)

Memo

To: Roger Kroh
From: Dave Donnell
Date: May 12, 2020
Re: Rezoning property at 2801 Brookhardt Dr

Roger,

We would like to build our home on this property. We have recently moved back into the area to care for our parents. Our children and Dave's parents have moved to Harrisonville and that is where we are hoping to settle also.

Our first course of action would be to clear and secure the property of the apparent vandalism and vagrancy and remove all of the vandalized and dilapidated structures. We would plan to build on the 32ft. x 24ft. basement coming out 12ft. towards the road on a pier or crawl space foundation making the house 32ft. wide and 36ft. deep. The house would face the road and include an eight-foot covered porch across the front of the house.

We are currently living in Belton in the duplex attached to Roberta's 89 and 90-year-old parents. When they are no longer in need of us, we would finalize our building and move in.

Attachment: Memo from Applicant (Rezoning from M-1 to R-1 at 2801 Brookhardt Dr.)

EMAILS FROM NEIGHBORS

Re: Rezoning on Brookhart

From: [doug walton <dw533pf@yahoo.com>](mailto:doug.walton@dw533pf@yahoo.com)

Sent: Sun, Jun 7, 2020 at 4:40 pm

To: [Roger Kroh](#)Images not displayed.[SHOW IMAGES](#) | [ALWAYS SHOW IMAGES FROM THIS SENDER](#)

Mr. Kroh, Got your letter last week, regarding the rezoning of the property at ,2801 Brookhart Dr. I have been hoping for years that someone would come along and buy that property, clean it up, and build new on it. For too long, it has been neglected, trashed, and occupied by the less fortunate, from time to time. It would be a welcome change to see the new owners follow through with their plans, as they have my blessings. I also wish them luck in their endeavors. If you have any further questions, feel free to contact me at, 816-380-2178 or, 816-258-1890. Thanks, again.

Re: Rezoning on Brookhart

From: [Randy Huey <bigred53@embarqmail.com>](mailto:bigred53@embarqmail.com)

Sent: Tue, Jun 9, 2020 at 8:45 pm

To: [Roger Kroh](#)

Hey Roger, this is Randy Huey at 26704 S Brookhart Dr. I would love to see the property at 2801 Brookhart be re-zoned and made in to a nice 1-2 family home. This property has been an eyesore for years, as several squatters and druggies have occupied this property for as long as I can remember.. The police have responded numerous times to complaints of trespassers, not only from me, but from my neighbors as well, to subjects in the house. I am all for the re-zoning of this address, and the new owners building decent housing and cleaning up our neighborhood. Thank you. Any questions, please call me at 816-738-3429.

Attachment: Emails from Neighbors (Rezoning from M-1 to R-1 at 2801 Brookhart Dr.)



STAFF REPORT

TO: Planning & Zoning Commission
FROM: Roger Kroh, Planner
DATE: June 10, 2020
SUBJECT: Cedarhurst Final Plat

Type of Item: *Approval*

GENERAL INFORMATION

Applicant: Dover Development, LLC
300 Hunter Ave., Suite 200, St. Louis, MO 63124-2013
Representative - Tina Charleville

Requested Actions: Final Plat of Cedarhurst of Harrisonville

Date of Application: May 29, 2020

Location: 2606 Rock Haven Road

Property Owners Heritage Tractor Properties, Inc.
Representative - Derek Dummermuth

Acres 9.93 acres

Building 69,565 sq. ft.

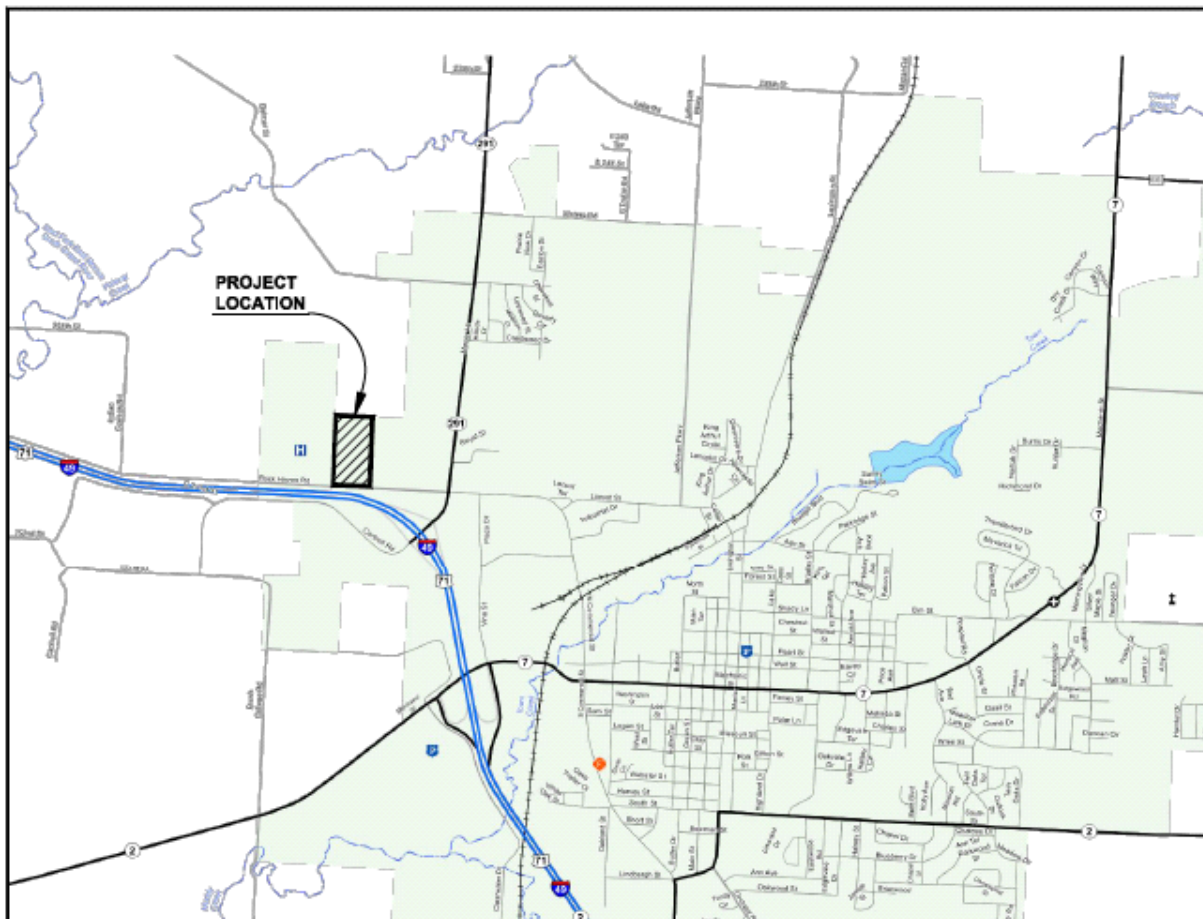
Zoning C-2 Service Business District

PROPOSAL

City staff have reviewed civil, stormwater and architectural plans and are in the process of issuing the building permit for the project. This final plat adds utility easements on the perimeter of the property and relocates a sanitary sewer easement to allow for the Cedarhurst to be constructed.



VICINITY MAP



PREVIOUS ACTIONS

The Planning and Zoning Commission and Board of Aldermen previously approved a special use permit for Dover Development, LLC, to construct and operate the Cedarhurst of Harrisonville assisted living and memory care facility at 2606 Rock Haven Road next to the Cass County Regional Medical Center. The project will consist of a one-story, 73-unit building of approximately 70,000 sq. ft. and associated infrastructure. The Missouri Department of Health and Senior Services has granted a certificate of need for the facility.

KEY ISSUES

A final plat prepared by a registered land surveyor or registered professional engineer describes the precise location and dimension of lots, established easements, and dedicated street right-of-way of property being subdivided. Approval by the City indicates that the final plat meets the design standards and requirements of the subdivision regulations and conforms

to the requirements of the zoning regulations and other applicable provisions of the policies and standards of the city.

STAFF COMMENTS AND SUGGESTIONS

The final plat consists of one lot and has all of the notes, easements, and dedications required by the subdivision ordinance of the City.

STAFF RECOMMENDATIONS

Staff recommends approval.

ATTACHMENTS

Final Plat (Full size copies will be available at the meeting.)

STAFF CONTACT: Roger Kroh, Community Development Planner

B. Action Item (ID # 3529)

Cedarhurst Final Plat

Attachments:

20153.001V_Final Plat-24x36 (PDF)

