



**AGENDA
CITY OF HARRISONVILLE
PLANNING & ZONING COMMISSION
REGULAR MEETING
CITY HALL
AUGUST 20, 2020
6:00 PM**

- 1. Call to Order**
 - A. Roll Call**
- 2. Approval of Minutes**
 - A. Planning & Zoning Commission - Regular Meeting - Jun 18, 2020 6:00 PM**
- 3. Agenda Items**
 - A. Application from John and Diane Southard, to rezone 10 lots in East Elm Estates**
 - B. Public Hearing**
 - C. Rezoning to R-1 East Elm Estates , Lot 78 - 87**
- 4. Discussion Items**
- 5. Adjourn**

Posted this 14th day of August 2020

Daniel Barnett, Deputy City Clerk



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

1. Call to Order

The meeting was called to order at 6:00 PM by Dorothy Young

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

Also in attendance were Roberta and David Donnell, Applicants; Matthew Turner, Alderman Liaison; Roger Kroh, Community Development Planner; and Jamie Martin, Recording Secretary.

2. Approval of Minutes

A. Planning & Zoning Commission - Regular Meeting - Apr 16, 2020 6:00 PM

With no additions or corrections, the minutes from the April 16, 2020, meeting were unanimously accepted.

Dorothy Young welcomed Brian Pulliam to the Planning and Zoning Commission.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Wilbert Crawford
SECONDER:	Scott Milner
AYES:	Milner, Bowman, Young, Bush, Welton, Crawford, Pulliam
ABSENT:	Chris Chiodini, Virgil Butler

3. Agenda Items

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

Roger Kroh presented an application from David and Roberta Donnell to rezone 2801 Brookhart Dr. from M-1 Light Industrial to R-1 Single Family Residential. They would like to remove the vacant, blighted basement home that is on the property and build a new single family home. Staff recommends approval for the list of reasons stated in the Staff Report.

Roberta Donnell stated they want to make the property their home. It has a lot of potential. Dorothy Young asked about their timeline. Mrs. Donnell stated that they would be focusing on cleaning up the property. Fencing, safety and security would be their first steps. The building of the home would be at a later date.

Dorothy Young opened the Public Hearing.

With no public participation, Wilbert Crawford made a motion to close the Public Hearing. Scott Milner seconded the motion. The Public Hearing was closed.

Cheryl Bush made a motion to recommend approval as outlined in the Staff Report. Scott Milner seconded the motion. The Commission voted unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Cheryl Bush, Board Member
SECONDER:	Scott Milner
AYES:	Milner, Bowman, Young, Bush, Welton, Crawford, Pulliam
ABSENT:	Chris Chiodini, Virgil Butler

B. Cedarhurst Final Plat

Roger Kroh presented the Cedarhurst Final Plat. Mr. Kroh stated that this final plat adds utility easements and relocates the storm sewer line. Staff recommends approval as presented in the Staff Report.

Judy Bowman made a motion to recommend approval to the Board of Aldermen as presented. Wilbert Crawford seconded the motion. The Commission voted unanimously.

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

4. Discussion Items

None

5. Adjourn

With nothing further to come before the Commission, Scott Milner made a motion to adjourn. Barrett Welton seconded. The meeting was adjourned at 6:09 PM.

Chris Chiodini,
Chairperson of the Planning & Zoning Commission

Minutes Acceptance: Minutes of Jun 18, 2020 6:00 PM (Approval of Minutes)

Regular Meeting**Thursday, June 18, 2020****6:00 PM**

ATTEST:

Jamie Martin, Secretary

Minutes Acceptance: Minutes of Jun 18, 2020 6:00 PM (Approval of Minutes)



STAFF REPORT

TO: Planning & Zoning Commission
FROM: Jamie Martin, Assistant
DATE: August 12, 2020
SUBJECT: Application from John and Diane Southard, Southard Construction, LLC.,
to rezone from Agriculture (A

Type of Item: *Approval*

A. Action Item (ID # 3587)

Application from John and Diane Southard, Southard Construction, LLC., to rezone from Agriculture (AG) zoning to Single-family Residential (R-1) zoning approximately 5.4 acres south of Matt Street in East Elm Estates for 10 lots for single-family homes.



TO: Planning & Zoning Commission
FROM: Jamie Martin, Assistant
DATE: August 12, 2020
SUBJECT: Public Hearing

Type of Item: *Public Hearing*

- B. Discussion Item (ID # 3591)**
Public Hearing



STAFF REPORT

TO: Planning & Zoning Commission
FROM: Roger Kroh, Planner
DATE: August 14, 2020
SUBJECT: Rezoning to R-1 East Elm Estates , Lot 78 - 87

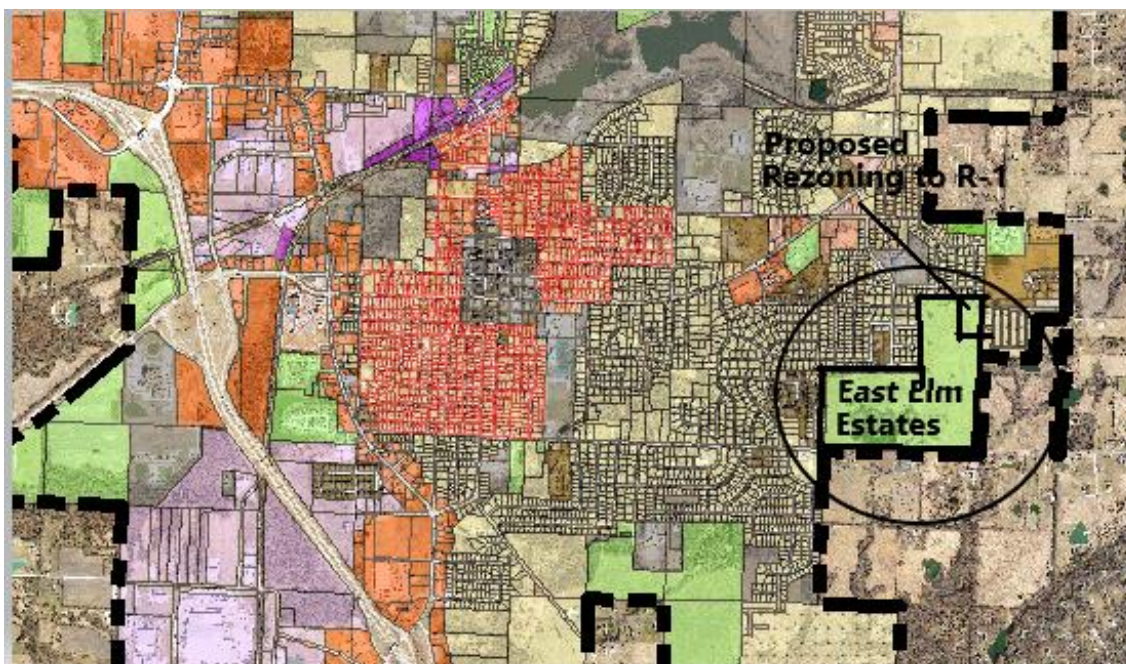
Type of Item: *Approval*

GENERAL INFORMATION

Applicant: John and Diane Southard, Southard Construction, LLC
Requested Action: Approve Rezoning of East Elm Estates Lots 78 – 87 from (A) Agriculture to R-1 Single-family Residential Zoning District
Date: August 20, 2020
Location: 4.52 ac. South of Matt Street in East Elm Estates
Property Owners John and Diane Southard

PROPOSAL

Since 1986 the owners of East Elm Estates have rezoned and final platted 77 lots in seven phases. The applicant is now requesting that an additional 4.52 acres be rezoned from A Agriculture to R-1 Single-family residential for 10 residential lots. The owners will submit the preliminary plat for approval at a later date. However, a copy is attached.



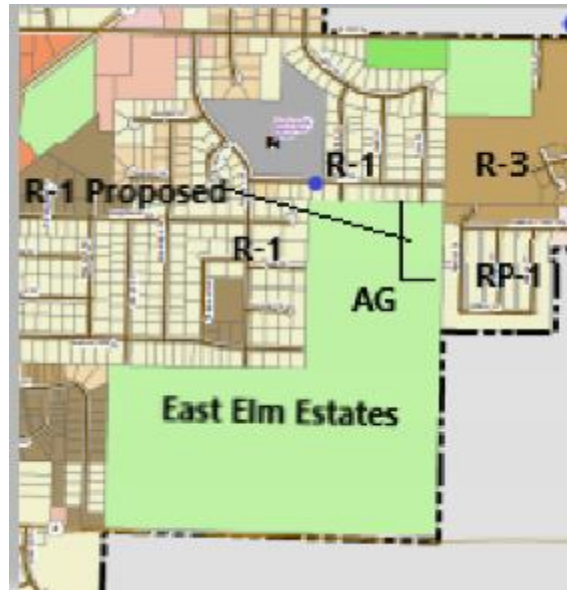
ZONING ORDINANCE REVIEW

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

The proposed R-1 zoning is consistent with the zoning on the 3 developing sides of East Elm Estates. The balance of East Elm Estates, although currently zoned AG, is designated low-density on the Future Land Use Map.

Existing Zoning

North:	R-1 Single-family Residential District
East:	R-3 Garden-type Residential District
	R-1 Single-family Residential District
South	AG Agriculture District
West	AG Agriculture District
	R-1 Single-family Residential District



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

The gently rolling terrain is suitable for single-family residential development

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

East Elm Estates is consistent with the low density residential designation (Yellow) on the Future Land Use Map.



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

The 4.52 acres proposed for rezoning is surrounded by existing single family residential development or land that is master planned for low density residential development. R-1 zoning is more appropriate than the existing AG Agriculture zoning.

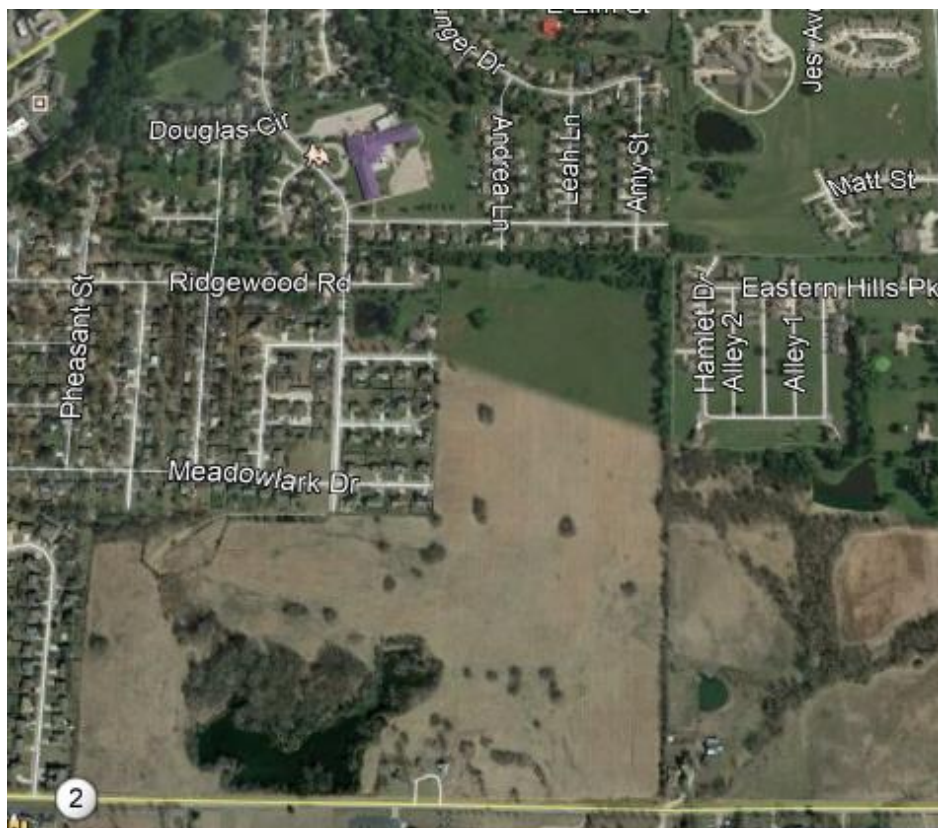
5. The trend of development near the property, including changes that have taken place in the area since the subject property was placed in its current zoning districts.

In 1996, streets had been constructed on three sides of the 4.52 acres. By 2020, homes had been constructed on many of these lots. The proposed rezoning to R-1 is consistent with the trend of development in the area.

1996



2020



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

The proposed single family low density development is consistent with the housing on nearby property and should have no negative impacts

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

The developer is responsible for constructing the public improvements and connecting to existing streets and utilities. Existing public facilities are adequate in the area.

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

We see the property to be suitable for the regulations that will come with the R-1 rezoning.

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

Seven (7) phases of East Elm Estates have been developed since the mid-1980s with the timing of each phase dependent on demand. The property is maintained in agricultural use until such time as demand for new housing warrants the development of a new phase.

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

As there have been relatively few new homes started in the last 10 years in the area, a major initiative of the Board of Aldermen is new residential housing. To incent new housing construction, the Board established an incentive program in July in which no utility connection and infrastructure fees are charged for the next 25 building permits for one and two family 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.

We see no gain to the public health, safety and welfare by denying this application for rezoning.

STAFF RECOMMENDATION

Recommend that the Board of Aldermen approve the rezoning of approximately 4.5 acres from (A) Agriculture to R-1 Single-family Residential Zoning District

OTHER INFORMATION

Preliminary Plat

Legal Description

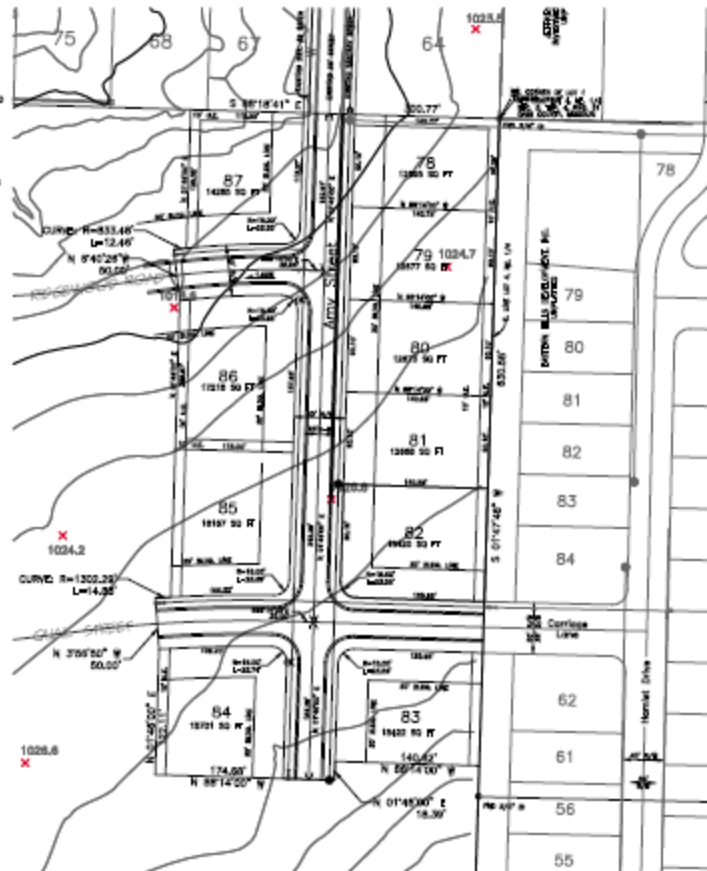
STAFF CONTACT: Roger Kroh, Community Development Planner

Preliminary Plat
of
East Elm Estates
Lots 78 thru 87
a proposed subdivision of land
in The City of Harrisonville, Missouri

Description:

PART OF LOT 4 OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 44, RANGE 31, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 4 OF THE NORTHEAST QUARTER OF SECTION 3, AFORESAID, RUN THENCE SOUTH 1°47'48" WEST ALONG THE EAST LINE THEREOF, 630.58 FEET; THENCE NORTH 88°14'00" WEST, 140.62 FEET; THENCE SOUTH 1°46'00" WEST, 18.39 FEET; THENCE NORTH 88°14'00" WEST, 174.64 FEET; THENCE NORTH 1°40'00" EAST, 122.41 FEET; THENCE NORTH 3°56'50" WEST, 50.00 FEET; THENCE NORTHEAST ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1302.29 AND A LENGTH OF 14.88 FEET; THENCE NORTH 1°46'00" EAST, 288.97 FEET; THENCE NORTH 6°40'26" WEST, 50.00 FEET; THENCE NORTHEAST ON A CURVE TO THE RIGHT HAVING A RADIUS OF 833.48 FEET AND A LENGTH OF 12.46 FEET; THENCE NORTH 1°46'00" EAST 135.08 FEET TO A POINT ON THE NORTH

NOTE: THIS PROPERTY IS NOT WITHIN THE GUARANTEE OF THE 100 YEAR FLOOD ZONE AS LEGALLY BY EMPHASIS SCALE FROM PLANNING BOARD. MAP CONSULTANT: PHILIP L. BROWN, 1120 N. GARDEN AVENUE, 10, HARRISONVILLE, MISSOURI 64583. NO WARRANTY AS TO THE ACCURACY OF THIS PLAT.



Legal Description:

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LINE OF LOT 4 OF THE NORTHEAST QUARTER OF SAID SECTION 3, SAID POINT ALSO BEING THE SOUTH LINE OF LOT 68 IN EAST ELM ESTATES, LOTS 62 THRU 77, A SUBDIVISION OF LAND IN THE CITY OF HARRISONVILLE, MISSOURI, ACCORDING TO THE RECORDED FINAL PLAT THEREOF; THENCE SOUTH 88°18'41" EAST ALONG THE SOUTH LINE OF SAID EAST ELM ESTATES, LOTS 62 THRU 77, 300.77 FEET TO THE POINT OF BEGINNING. CONTAINS 4.52 ACRES, MORE OR LESS, SUBJECT TO ANY EXISTING EASEMENTS.

C. Action Item (ID # 3597)

Rezoning to R-1 East Elm Estates , Lot 78 - 87