



**AGENDA
CITY OF HARRISONVILLE
PLANNING & ZONING COMMISSION
REGULAR MEETING
CITY HALL
MAY 20, 2021
6:00 PM**

- 1. Call to Order**
 - A. Roll Call**
- 2. Approval of Minutes**
 - A. Planning & Zoning Commission - Regular Meeting - Apr 15, 2021 6:00 PM**
- 3. Agenda Items**
 - A. Public Hearing - Rezoning of 2.377 Acres at 2510 Burris Drive from C-O District to R-1 District**
 - B. Rezoning of 2.377 Acres at 2510 Burris Drive**
 - C. Public Hearing - Rezoning of 2.2 Acres at 2507 Burris Drive**
 - D. Rezoning of 2.2 Acres at 2507 Burris Dr.**
 - E. Public Hearing - Amended SUP, Cass Co Transfer Station, 2901 Brickplant RD**
 - F. Amended SUP, Cass Co Transfer Station, 2901 Brickplant RD**
 - G. Public Hearing - SUP & Rezoning, J Gerke Contractor Yard, 2501 E Outer RD**
 - H. SUP & Rezoning, J Gerke Contractor Yard, 2501 E Outer RD**
- 4. Discussion Items**
- 5. Adjourn**

Posted on City Hall Bulletin Board this 14th day of May, 2021.

Daniel Barnett , City Clerk



DRAFT
MINUTES
CITY OF HARRISONVILLE
PLANNING & ZONING COMMISSION
REGULAR MEETING
CITY HALL
APRIL 15, 2021
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	Departed
Chris Chiodini	Harrisonville	Chair	Present		6:08 PM
Scott Milner	Harrisonville		Present		
Judy Bowman	Harrisonville	Mayor	Present		6:39 PM
Judy Reece	Harrisonville	Board Liaison	Excused		
Virgil Butler	Harrisonville		Absent		
Dorothy Young	Harrisonville	Vice Chair	Present		
Cheryl Bush	Harrisonville		Present		
Barrett Welton	Harrisonville		Present		
Wilbert Crawford	Harrisonville		Present		
Brian Pulliam	Harrisonville		Present		

Brent Hastie, Co-Applicant; Kim Chulufas, Resident; Roger Kroh, Community Development Planner; and Jamie Martin, Recording Secretary.

2. Approval of Minutes

A. Planning & Zoning Commission - Regular Meeting - Feb 18, 2021 6:00 PM

With no additions or corrections, the minutes from the February 18, 2021, meeting were unanimously accepted.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Dorothy Young, Vice Chair
SECONDER:	Wilbert Crawford
AYES:	Chiodini, Milner, Bowman, Young, Bush, Welton, Crawford, Pulliam
ABSENT:	Virgil Butler
EXCUSED:	Judy Reece

3. Agenda Items

Publish

A. LEXINGTON PLACE FINAL PLAT

Chris Chiodini recused himself as this discussion and vote would be a conflict of interest as he is a co-applicant. Dorothy Young took over as Presiding Chairman.

Roger Kroh presented his staff report. This application is for a Final Plat of Lexington Place, Lots 1 Thru 6, Inclusive, of the Northeast corner of Lexington Street and Chestnut Avenue. OnPoint Home Design and Contracting, in Partnership with Allen C. Chiodini, wish to build 6 owner occupied homes on these lots. Roger Kroh stated that all 6 lots meet minimum design requirement for the R2B zoning. Staff recommends approval for the reasons stated in the staff report.

Brent Hastie gave a recap of his proposal to the Commission. He stated that Harrisonville needs new homes and they have modified their plans to meet City guidelines and ordinances. Of the proposed homes, one would be a spec house, the others would be build jobs varying in price depending on the customers. He believes these homes would help raise property values in the surrounding neighborhood. These home would be virtually maintenance free, using products and styles that work well with older neighborhoods.

Brian Pulliam asked about storm water drainage. Mr. Hastie stated that the roofs of the homes from middle to front would drain to the existing storm gutters. Homes middle to back would go into the drainage ditch running north to south on the east property line.

Kim Chulufas, owner of neighboring property, expressed her concerns about water issues, noise, and transients in the area.

Dorothy Young asked Mr. Kroh if he had heard from any other neighboring residents. He said he had heard from two other residents and they shared Ms. Chulufas concerns. Ms. Young asked if the City was addressing these issues. Mr. Kroh stated that he had spoke with Rodney Jacobs, Street Superintendent; and Carl Brooks, Public Works Director; and they said when they have the calculations from the engineer for this property, they would be able to look at run off water from the south and the Shady Lane Culvert.

** Dorothy Young closed the floor to public comments at 6:29PM.*

Ms. Young asked if subdivision guidelines include gutter, curbs and sidewalks. Mr. Kroh stated that sidewalks are already there since this is an in-fill project. Drainage around it will be looked at. Ms. Young stated that ordinance needs to have a set number for in-fills and she asked if the city would look at this possibility during the Comprehensive Plan process. Mr. Kroh said this would be looked at.

Barrett Welton asked about the average size on of lots in that area. Mr. Kroh stated that a majority of the home have 60 feet of frontage, but there are some that have 50 feet.

Ms. Young asked if there were any deed restrictions making these homes owner occupied going forward? Mr. Kroh stated that the City does not have any in the Code.

Wilbert Crawford made a motion to recommend approval of the replat to the Board of Alderman with the stipulations from City staff. Cheryl Bush seconded the motion. The motion passed unanimously.

RESULT:	RECOMMENDED FOR BOARD APPROVAL [7 TO 0]
MOVER:	Wilbert Crawford
SECONDER:	Cheryl Bush, Board Member
AYES:	Milner, Bowman, Young, Bush, Welton, Crawford, Pulliam
ABSENT:	Virgil Butler
EXCUSED:	Judy Reece
RECUSED:	Chris Chiodini

4. Discussion Items

Wilbert Crawford commented that moving forward, the City will be faced with making homes more affordable.

Roger Kroh informed the Commission that Gould Evans has been selected for the City Comprehensive Plan. This process will start with a citizen survey.

5. Adjourn

With nothing further to come before the Commission, Wilbert Crawford made a motion to adjourn. Cheryl Bush seconded. The meeting was adjourned at 6:44 PM.

Chris Chiodini,
Chairperson of the Planning & Zoning Commission

ATTEST:

Jamie Martin, Secretary

Minutes Acceptance: Minutes of Apr 15, 2021 6:00 PM (Approval of Minutes)



STAFF REPORT

TO: Planning & Zoning Commission
FROM: Roger Kroh, Planner
DATE: May 14, 2021
SUBJECT: Public Hearing - Rezoning of 2.377 Acres at 2510 Burris Drive from C-O District to R-1 District

Type of Item: Approval

PUBLIC HEARING

Meetings:	Planning and Zoning Commission	May 20, 2021
	Board of Aldermen	June 7, 2021

Applicant & Property Owner: Kevin Wood

Requested Action: Rezoning of 2.377 acres from C-O Non-retail Business District to R-1 Single Family Residential District

**2510 Burris Drive (Lot 1 Burris Ridge Subdivision)
 NW Corner Burris Ridge Drive and N. Mechanic St.**

Public Hearing

Notice is hereby given that the Harrisonville Planning and Zoning Commission (PZ) and Board of Aldermen (BOA) will conduct public hearings to receive public testimony on an application from Kevin Wood to rezone Lot 1 in Burris Ridge Subdivision, Plat 1, (2510 Burris Drive) from the C-O Non-retail Business Zoning District to the R-1 Single Family Residential Zoning District for the purpose of constructing one single family home. The 2.377 acre lot is located at the northwest corner of Burris Drive and Mechanic St. in the City of Harrisonville, MO 64701. The public hearings will be held at the following days, times, and location:

Planning and Zoning Commission, Thursday, May 20, 2021 at 6 PM

Board of Aldermen Meeting, Monday, June 7, 2021 at 6 PM

City Hall, 300 E. Pearl St., Harrisonville, MO 64701

See next agenda item for Staff Report.

A. Action Item (ID # 3898)

Public Hearing -- Rezoning of 2.377 Acres at 2510 Burris Drive from C-0 Non-retail Business District to R-1 Single Family Residential District



STAFF REPORT

TO: Planning & Zoning Commission
FROM: Roger Kroh, Planner
DATE: May 14, 2021
SUBJECT: Rezoning of 2.377 Acres at 2510 Burris Drive

Type of Item: *Approval*

GENERAL INFORMATION

Meetings:	Planning and Zoning Commission	May 20, 2021
	Board of Aldermen	June 7, 2021
Applicant & Property Owner:	Kevin Wood	

Requested Action: Rezoning of 2.377 acres from C-O Non-retail Business District to R-1 Single Family Residential District

**2510 Burris Drive (Lot 1 Burris Ridge Subdivision)
 NW Corner Burris Ridge Drive and N. Mechanic St.**

PROPOSAL

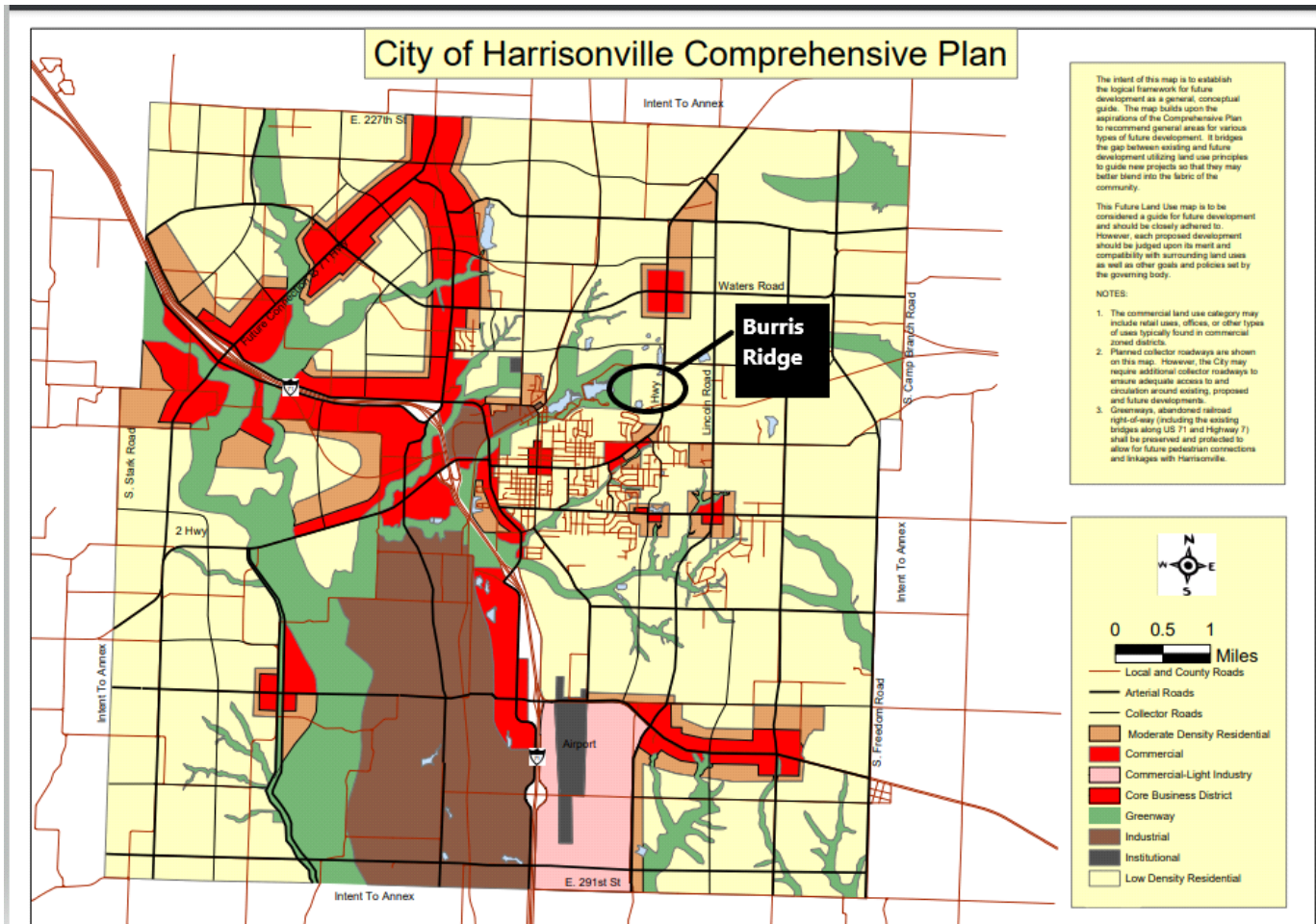
The City has received an application from Kevin Wood to rezone Lot 1 in Burris Ridge Subdivision, Plat 1, (2510 Burris Drive) from the C-O Non-retail Business Zoning District to the R-1 Single Family Residential Zoning District for the purpose of constructing one single family home. The 2.377 acre lot is located at the northwest corner of Burris Drive and Mechanic St. When Burris Ridge was approved, it was hoped that this tract and a C-1 tract at the southwest corner of Burris Ridge would allow for services for those living in the area.

The current property owner now wishes to use the property for one residence. A single family home can be built in the C-O zoning district based on the fact and the C-O district permits any use in the R-3, R-2, and R-1 districts. However, the applicant wishes for the zoning to be consistent with the use so there is no question why a single-family home might be on land zoned C-O.

BURRIS RIDGE



VICINITY MAP / COMPREHENSIVE PLAN



ZONING ORDINANCE REVIEW

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

The Future Land Use Map in the Comprehensive Plan calls designates the area as low-density residential. The R-1, RP-1 and RP-2 zoning around the subject tract is also consistent with the future land use designation. Although there is a C-1 zoned tract across the street from the Wood property, the owners of the C-1 tract have applied for single-family residential.

Existing Zoning

North: R-1 Single-family Residential District
 East: R-1 Single-family Residential District

South C-1 Local Business District
Owner has applied for rezoning to R-1
 West RP-2 Planned Two-family Residential
 RP-1 Planned Single-family Residential

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

The gently rolling terrain is suitable for the single family development.

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

Single family is consistent with the low-density designation for the area in the Future Land Use Map of the Comprehensive Plan.

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

The proposed use of single-family residential is consistent with the R-1 zoning district.

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.

All development in the area has been residential. There has not been any non-residential development in the area.

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

Staff believes there is no detrimental impact on surrounding property by changing the zoning from C-O to R-1.

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

Public infrastructure and services are adequate to serve residential development.

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

The property is suitable for C-O use. However, we are aware of no serious proposals of C-O uses since the property was zoned.

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

The zoning, preliminary plat, and final plat for Burris Ridge occurred in 2005. The C-O tract is still undeveloped.

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

The requested zoning map amendment is primarily in the interest of the applicant. However, we believe that zoning the property C-O in 2005 was premature and see no benefit to the public of maintaining the C-O zoning.

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.

RECOMMENDATION

Staff recommendation: Approval of motion recommending that the Board of Aldermen approve the rezoning from C-O to R-1 for the reasons contained in the staff report.

STAFF CONTACT: Roger Kroh, Community Development Planner

B. Action Item (ID # 3899)

Rezoning of 2.377 Acres at 2510 Burris Drive from C-O Non-retail Business District to R-1 Single-Family Business District



STAFF REPORT

TO: Planning & Zoning Commission
FROM: Roger Kroh, Planner
DATE: May 14, 2021
SUBJECT: Public Hearing - Rezoning of 2.2 Acres at 2507 Burris Drive

Type of Item: *Approval*

PUBLIC HEARING

Meetings:	Planning and Zoning Commission	May 20, 2021
	Board of Aldermen	June 7, 2021

Applicant & Property Owner: Larry and Donna Pfautsch

Requested Action: Rezoning of 2.2 acres from C-1 Local Business District to R-1 Single Family Residential District

Location: 2507 Burris Drive (Lot 2 Burris Ridge Subdivision, Plat 1, SW Corner Burris Ridge Drive and N. Mechanic St.

Public Hearing

Notice is hereby given that the Harrisonville Planning and Zoning Commission (PZ) and Board of Aldermen (BOA) will conduct public hearings to receive public testimony on an application from Larry and Donna Pfautsch to rezone Lot 2 in Burris Ridge Subdivision, Plat 1, (2507 Burris Drive) from the C-1 Local Business Zoning District to the R-1 Single Family Residential Zoning District for the purpose of creating single family lots. The 2.2 acre lot is located at the southwest corner of Burris Drive and Mechanic St. in the City of Harrisonville, MO 64701. The public hearings will be held at the following days, times, and location:

Planning and Zoning Commission, Thursday, May 20, 2021 at 6 PM

Board of Aldermen Meeting, Monday, June 7, 2021 at 6 PM

City Hall, 300 E. Pearl St., Harrisonville, MO 64701

See next agenda item for Staff Report.

C. Action Item (ID # 3900)

Public Hearing - Rezoning of 2.2 Acres at 2507 Burris Drive from C-1 Local Business District to R-1 Single-family Residential District



STAFF REPORT

TO: Planning & Zoning Commission
FROM: Roger Kroh, Planner
DATE: May 14, 2021
SUBJECT: Rezoning of 2.2 Acres at 2507 Burris Dr.

Type of Item: *Approval*

GENERAL INFORMATION

Meetings:	Planning and Zoning Commission Board of Aldermen	May 20, 2021 June 7, 2021
Applicant & Property Owner:	Larry and Donna Pfautsch	
Requested Action:	Rezoning of 2.2 acres from C-1 Local Business District to R-1 Single Family Residential District	
Location:	2507 Burris Drive (Lot 2 Burris Ridge Subdivision, Plat 1, SW Corner Burris Ridge Drive and N. Mechanic St.	

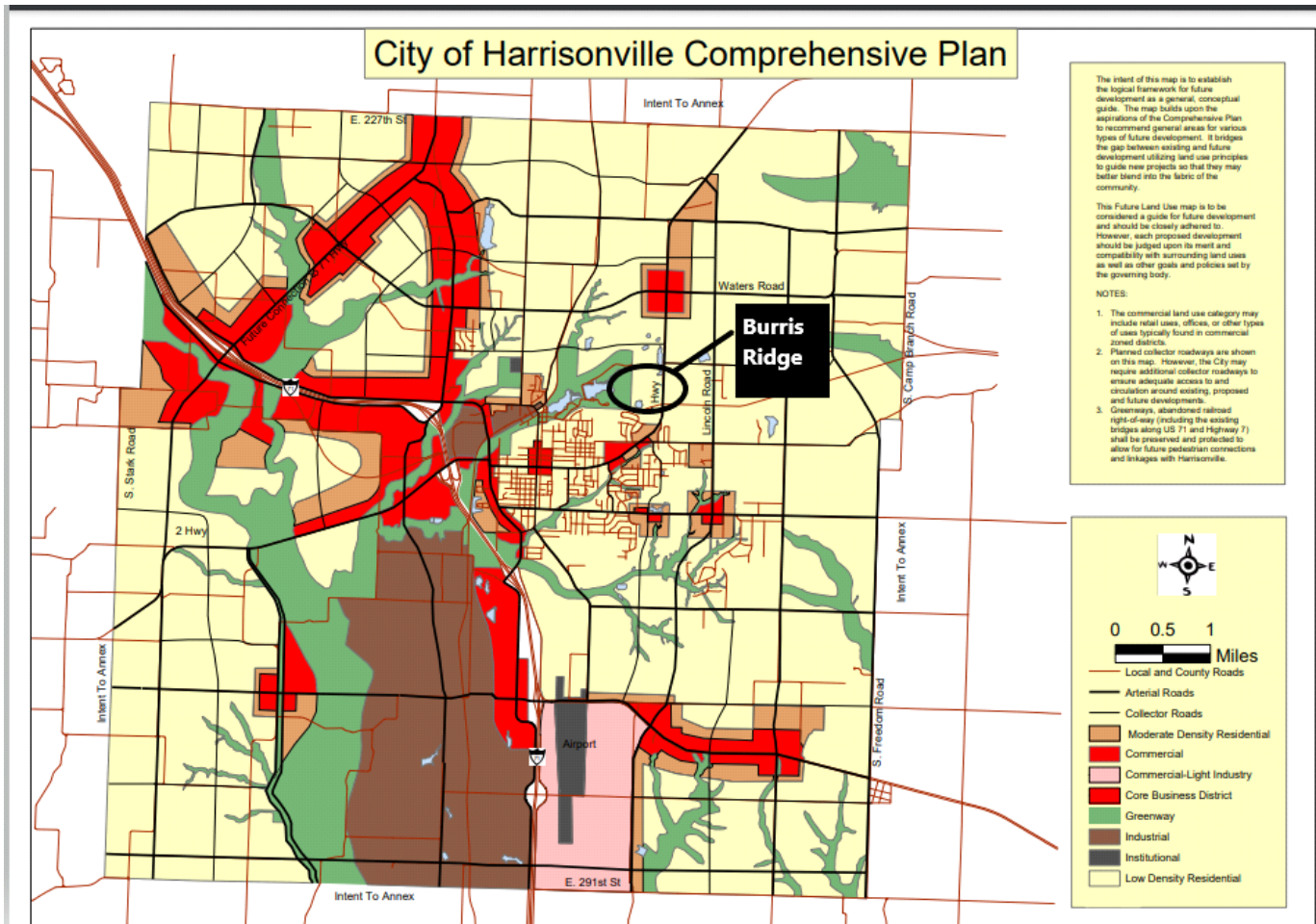
PROPOSAL

The City has received an application from Larry and Donna Pfautsch to rezone Lot 2 in Burris Ridge Subdivision, Plat 1, (2507 Burris Drive) from the C-1 Local Business Zoning for the purpose of creating 3 single family lots. The 2.2 acre tract is located at the southwest corner of Burris Drive and Mechanic St. When Burris Ridge was approved, it was hoped that this tract and a C-O tract at the northwest corner of Burris Ridge would allow for services for those living in the area. The current property owner now wishes to rezone and subdivide the 2.2 acres for 3 single family lots. If the zoning is approved, the applicant will submit a plat for approval.

BURRIS RIDGE



VICINITY MAP / COMPREHENSIVE PLAN



ZONING ORDINANCE REVIEW

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

The Future Land Use Map in the Comprehensive Plan calls designates the area as low-density residential. The R-1, RP-1 and RP-2 zoning around the subject tract are also consistent with the future land use designation. Although there is a C-O zoned tract across the street from the Pfautsch property, the owner of the C-O tract has applied for single-family residential.

Existing Zoning

North: C-O Non-retail Business District
Owner has applied for rezoning to R-1
 RP-2 Planned Two-family Residential District

East:	R-1 Single-family Residential District
South	RP-2 Planned Two-family Residential District
	RP-1 Planned Single-family Residential
West	RP-2 Planned Two-family Residential
	RP-1 Planned Single-family Residential

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

The gently rolling terrain is suitable for the single family development.

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

Single family is consistent with the low-density designation for the area in the Future Land Use

Map of the Comprehensive Plan.

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

The proposed use of single-family residential is consistent with the R-1 zoning district.

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.

All development in the area has been residential. There has not been any non-residential development in the area.

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

Staff believes there is no detrimental impact on surrounding property by changing the zoning

from C-1 to R-1.

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

Adequate public facilities exist for residential development.

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

The property is suitable for C-1 use. However, we are aware of no serious proposals of C-1 uses since the property was zoned.

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

The zoning, preliminary plat, and final plat for Burris Ridge occurred in 2005. The C-1 tract is

still undeveloped.

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

The requested zoning map amendment is primarily in the interest of the applicants. However, we believe that zoning the property C-1 in 2005 was premature and see no benefit to the public of maintaining the C-1 zoning.

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.

RECOMMENDATION

Staff recommendation: Approval of motion recommending that the Board of Aldermen approve the rezoning from C-1 to R-1 for the reasons contained in the staff report.

STAFF CONTACT: Roger Kroh, Community Development Planner

D. Action Item (ID # 3901)

Rezoning of 2.2 Acres at 2507 Burris Dr. from C-1 Local Business District to R-1 Single Family Residential District



STAFF REPORT

TO: Planning & Zoning Commission
FROM: Roger Kroh, Planner
DATE: May 14, 2021
SUBJECT: Public Hearing - Amended SUP, Cass Co Transfer Station, 2901 Brickplant RD

Type of Item: Approval

PUBLIC HEARING

Meetings:	Planning and Zoning Commission Board of Aldermen	May 20, 2021 June 7, 2021
Applicant:	Blackstone Environmental, Inc on behalf of American Waste Systems and Cass County Transfer Station, Gale Holesman, President and CEO	
Property Owner:	Billy C. and Nancy L. Shelton Trust	
Requested Action:	Amendment of existing special use permit regarding the storage of white goods/bulk storage items outside the building and the disposal of leachate from the transfer station directly to the City's sanitary sewer system through a grease interception.	
Location:	2901 Brickplant RD	

Public Hearing

Notice is hereby given that the Harrisonville Planning and Zoning Commission (PZ) and Board of Aldermen (BOA) will conduct public hearings to receive public testimony on an application from Blackstone Environmental, Inc. on behalf of American Waste Systems and Cass County Transfer Station, to amend its existing special use permit regarding the storage of white goods/bulk storage items outside the building and the disposal of leachate from the transfer station directly to the City's sanitary sewer system through a grease interception. The 4.8 acre tract is located at 2901 S. Brickplant Road in the City of Harrisonville, MO 64701. The public hearings will be held at the following days, times, and location:

Planning and Zoning Commission, Thursday, May 20, 2021 at 6 PM

Board of Aldermen Meeting, Monday, June 7, 2021 at 6 PM

City Hall, 300 E. Pearl St., Harrisonville, MO 64701

See next agenda item for Staff Report.

E. Action Item (ID # 3903)

Public Hearing - Amended SUP, Cass Co Transfer Station, 2901 Brickplant RD

City of
Harrisonville
est. 1836
STAFF REPORT

TO: Planning & Zoning Commission
FROM: Roger Kroh, Planner
DATE: May 14, 2021
SUBJECT: Amended SUP, Cass Co Transfer Station, 2901 Brickplant RD

Type of Item: *Approval*

GENERAL INFORMATION

Meetings:	Planning and Zoning Commission	May 20, 2021
	Board of Aldermen	June 7, 2021
Applicant:	Blackstone Environmental, Inc on behalf of American Waste Systems and Cass County Transfer Station, Gale Holesman, President and CEO	
Property Owner:	Billy C. and Nancy L. Shelton Trust	
Requested Action:	Amendment of existing special use permit regarding the storage of white goods/bulk storage items outside the building and the disposal of leachate from the transfer station directly to the City's sanitary sewer system through a grease interception.	
Location:	2901 Brickplant RD	

BACKGROUND AND REQUEST

On August 5, 2019, the City approved a 10-year Special Use Permit to Gale Holesman and American Waster Systems to reopen and operate the Cass County Transfer Station at 2901 Brickplant Road. They are nearing completion of the permitting process with the Department of Natural Resources (DNR) and intend to open once all operating permits are obtained.

During the review process with DNR, the applicant has determined that it would like to request two changes in its Special Use Permit. The changes are as follows:

First, the applicant wishes to keep white goods/bulk storage items such as washing machines, hot water heaters, etc. in a 40-ft. dumpster in storage container behind the building. Once it is full, the items will be removed from the premises. As this storage container is partially below grade and not visible from Brickplant Road, staff has no objections. City staff have also added a provision to allow the storage of empty trash dumpsters provided they are kept along the east fence of the property.

Second, the applicant wishes to dispose of leachate from daily washing of the floor inside the transfer station where trash is deposited from trucks before being collected for shipment to the landfill. Initially, the leachate was to be collected and also taken to the landfill. In the review process for a state operating permit, DNR has stated that they do not want the leachate taken to the landfill. Instead, DNR wants it placed in the city sewer. City staff and the applicant are finalizing discussion regarding the handling of the public sewage and will provide an update at the PZ meeting.

Vicinity









April 22, 2021

Mr. Roger Kroh
City of Harrisonville
Planner
300 East Pearl Street
Harrisonville, Missouri 64701

RE: Transfer Station SUP Amendment Request
Cass County Transfer Station
Cass County, Missouri

Dear Mr. Kroh,

Blackstone Environmental, Inc. (Blackstone), on behalf of American Waste Systems and Cass County Transfer Station, is submitting this SUP amendment application. Cass County Transfer Station is requesting amendments to SUP conditions.

Condition 3 – Cass County Transfer Station wishes to store white goods and bulk storage outside of the building facility.

Condition 6 – Cass County Transfer Station wishes to dispose of leachate from the transfer station directly to the City's sanitary sewer system through a grease interceptor.

Should you have any questions regarding this report or require additional information, please feel free to contact Kyle Kukuk at 913-956-6223.

Respectfully,
BLACKSTONE ENVIRONMENTAL, INC.

A handwritten signature in blue ink, appearing to read 'Kyle Kukuk'.

Kyle Kukuk, P.E.
Senior Project Manager

CC: Mr. Gale Holsman – Cass County Waste Transfer, LLC

STAFF RECOMMENDATION

Below are the conditions of the 10-year Special Use Permit originally approved by the city with proposed changes to conditions No. 3, 6, and 9. Staff and the applicant are finalizing discussions regarding the handling public sewage and we will provide an update at the meeting.

1. The Use - This special use permit authorizes the operation of a solid waste transfer station.
2. Location - The solid waste transfer station is approved on 4.8 acres at 2901 S. Brickplant Road (Parcel No. 13-31-05-000-000-035.002).
3. Exterior Appearance -All operations, including hand unloading, shall be conducted within a fully enclosed building with the exception of a bulk storage container in which white goods and other bulk items shall be deposited, and the parking of trash trucks and vehicular traffic utilizing and supporting the transfer station. The storage container for white goods and other bulk items shall be kept in the unused dock-high loading area on the east side of the building. No bulk items shall be kept outside the storage container and the exterior grounds shall be kept clear of trash. Unused trash dumpsters may be kept on the property, but only along the east fence.
4. Environmental -- The transfer station 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.
5. Odors - The transfer station shall not be operated so as to produce odors which a noticeable at the property line. Any trucks or trailers with trash or refuse exposed left outside after hours will be covered.
6. Tipping Floor - For fire prevention reasons and to reduce odors, the tipping floor shall be cleaned at the end of each day and any fluids involved in the process shall be ~~disposed of in a landfill~~ treated and deposited in the sanitary sewer in a manner approved by the City Engineer/ Director of Public Works .
7. Vibration -- The transfer station shall not be operated so as to produce vibration or concussion perceptible without instruments at the property line.

8. 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.

9. Public Sewage Disposal Facilities -- Industrial processes and wastes shall be of such a quantity and nature so as to not overburden the public sewage disposal facilities or to cause odor and unsanitary effects beyond the property line. The applicant shall also meet the following conditions regarding public sewage disposal.
 - A. Effluent discharge to City sanitary main shall be sampled once each week for 6 months of operation and then monthly thereafter and tested for the 13 items previously reported by Blackstone Environmental Engineer of Record (EOR), plus perfluorooctanoic sulfate (PFAS)/perfluorooctanoic acid (PFOA) materials. Test results shall be submitted to City Public Works (PW) department. The interceptor shall be pumped out and contents disposed of in accordance with Missouri Department of Natural Resources (MDNR) regulations, once each month for the duration of the transfer station operations, the pump out report shall be copied to City PW department. Flow quantities shall also be monitored during the 6-month period and results submitted to City PW department to verify EOR original estimates.

 - B. The EOR shall obtain an effluent testing sample from an operational transfer station and submit test results to City Public Works for consideration of modification to conditions of operation.

 - C. Interceptor overflow discharge through tank manholes or back up into loading pit will require facility shutdown and immediate remedial/corrective action.

 - D. Any condition attributable to the transfer station which places the City's Wastewater Treatment Plant (WWTP) in a position of being out of compliance with its MDNR operating permit shall negate any prior approvals or conditional approvals and the facility shall cease operations immediately upon notice from the City.

 - E. In accordance with the City Municipal Code, the operation may be subject to discharge extra strength charges.

10. Off-street Parking and Queuing - Off-street parking shall be provided in a number to accommodate the parking needs of participants plus one (1) space

for each employee. Any queuing of vehicles waiting to use the transfer station shall occur on-site and not on Brickplant Road or 267th St.

11. City, County and State Standards - The transfer station shall operate in conformance with all applicable City, County, State and Federal ordinances, regulations, and statutes.
12. Permits Required from Missouri Department of Natural Resources (DNR) - The transfer station shall not begin operation until the owner has obtained from DNR a Permit to Operate a Transfer Station, an Air Determination Permit, and a National Pollutant Discharge Elimination System Permit (NPDES).
13. Open to the Public - The public shall be allowed to bring solid waste to the transfer station during regular business hours during the work week and for a minimum of four (4) hours on Saturdays.
14. Time Limit - 10 years. Applicant may reapply for renewal of SUP.

STAFF CONTACT: Roger Kroh, Community Development Planner

F. Action Item (ID # 3904)

Amended SUP, Cass Co Transfer Station, 2901 Brickplant RD



STAFF REPORT

TO: Planning & Zoning Commission
FROM: Roger Kroh, Planner
DATE: May 14, 2021
SUBJECT: Public Hearing - SUP & Rezoning, J Gerke Contractor Yard, 2501 E Outer RD

Type of Item: Approval

PUBLIC HEARING

Meetings:	Planning and Zoning Commission Board of Aldermen	May 20, 2021 June 7, 2021
Applicant & Property Owner:	Jon Gerke and All Pro Concrete Design, LLC	
Requested Action:	Special Use Permit to operate a contractor yard on approximately 1.64 acres of which approximately .64 acres is presently in the C-2 Service Business Zoning District and approximately 1 acre is being requested to be rezoned from R-1 Single Family Residential to C-2 Service Business District.	
Location:	2501 East Outer RD South	

Public Hearing

Notice is hereby given that the Harrisonville Planning and Zoning Commission (PZ) and Board of Aldermen (BOA) will conduct public hearings to receive public testimony on an application from Jon Gerke and All Pro Concrete Design, LLC. to operate a contractor yard on an approximately 1.64 acre site at 2501 E Outer Road South in the city of Harrisonville, MO. Approximately .64 acres is presently in the C-2 Service Business District Zoning. The applicant is also applying to rezone from R-1 Single Family Residential Zoning District to C-2 Service Business Zoning District an additional 1 acre to be used for the contractor yard. The public hearings will be held at the following days, times, and location:

Planning and Zoning Commission, Thursday, May 20, 2021 at 6 PM

Board of Aldermen Meeting, Monday, June 7, 2021 at 6 PM

City Hall, 300 E. Pearl St., Harrisonville, MO 64701

See next agenda item for Staff Report.

G. Action Item (ID # 3905)

Public Hearing - SUP & Rezoning, J Gerke Contractor Yard, 2501 E Outer RD



STAFF REPORT

TO: Planning & Zoning Commission
FROM: Roger Kroh, Planner
DATE: May 14, 2021
SUBJECT: SUP & Rezoning, J Gerke Contractor Yard, 2501 E Outer RD

Type of Item: *Approval*

GENERAL

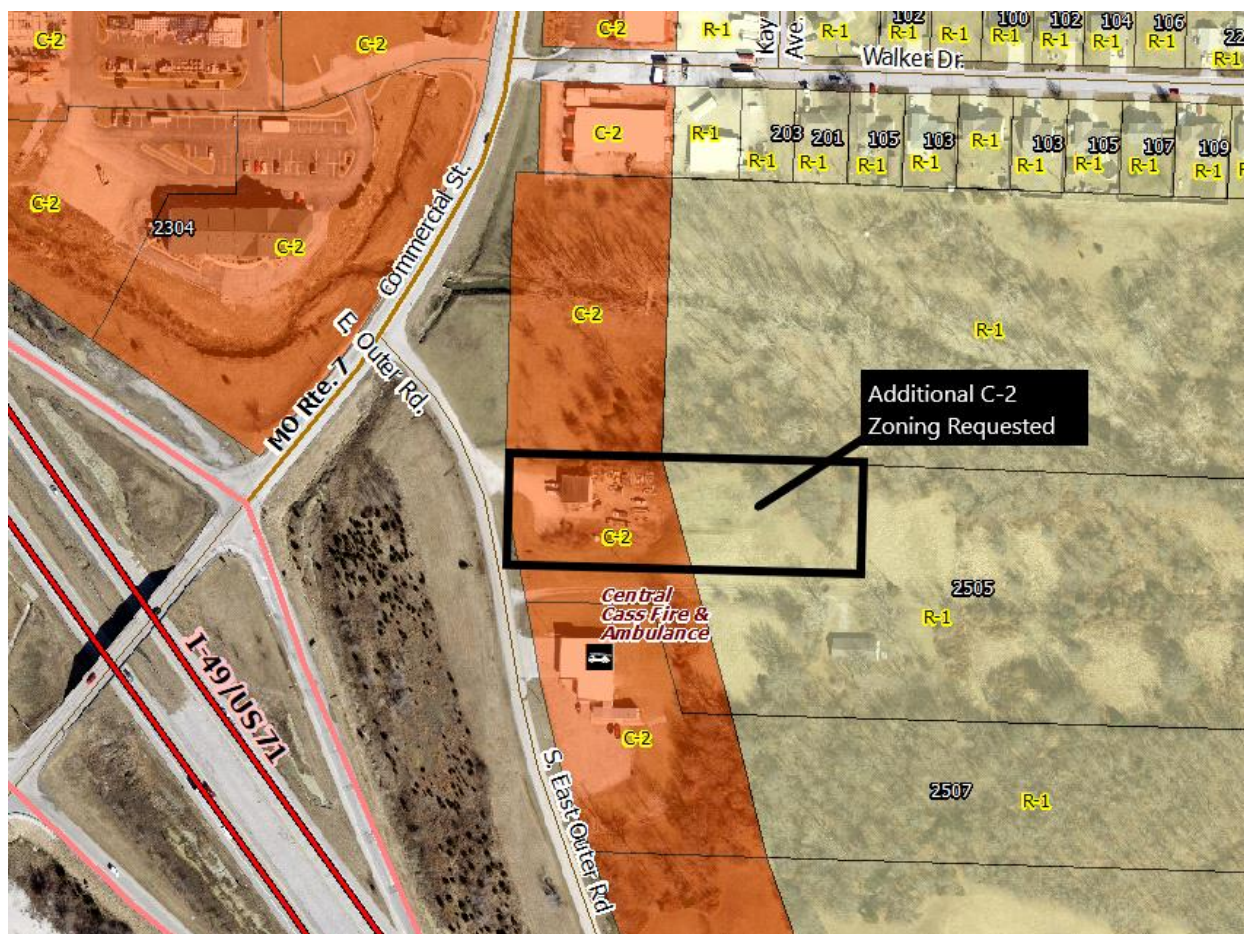
Meetings:	Planning and Zoning Commission	May 20, 2021
	Board of Aldermen	June 7, 2021
Applicant & Property Owner:	Jon Gerke and All Pro Concrete Design, LLC	
Requested Action:	Special Use Permit to operate a contractor yard on approx. 1.64 ac., of which approx. .64 acres is presently in the C-2 Service Business Zoning District and approx. 1 acre is being requested to be rezoned from R-1 Single Family Residential to C-2 Service Business District.	
Location:	2501 East Outer RD South	

PROPOSAL

Jon Gerke and All Pro Concrete Design, LLC. are applying for a special use permit (SUP) to operate a contractor yard on a 1.64 acre site at 2501 E Outer Road South in the city of Harrisonville, MO. Approximately .64 acres is presently in the C-2 Service Business District Zoning. The applicant is also applying to rezone from R-1 Single Family Residential Zoning District to C-2 Service Business Zoning District an additional 1 acre to be used for the contractor yard. Mr. Gerke began construction without the required permits, but stopped construction upon receiving notice and has been cooperative working with city staff and filing the required plans and applications.



ZONING



LETTER FROM PROPERTY OWNER

WARNER LAW, LLC

CYNTHIA R. WARNER

Attorney at Law

1708 N. Commercial St.
Suite A
Harrisonville, MO 64701

cindy@warnerlawmo.com
Phone: (816) 591-9875
Fax: (866) 235-6393

May 4, 2021

City of Harrisonville Planning and Zoning Department
Mr. Roger Kroh, Community Development Planner
300 E. Pearl
Harrisonville, MO 64701

Letter for Inclusion with Mr. and Mrs. Jonathan Gerke's Special Use Permit and Rezoning Applications of 140.00 feet X 500.00 feet from R-1 to C-2 May 20, 2021 meeting.

Dear Mr. Kroh:

I first met Mr. Jonathan Michael Gerke aka Jon in a phone meeting after my client Rodger Marble said I should call and speak with him sometime last year. We actually met in person by happenstance when my husband I were driving by our neighbor's when checking our farm fields. From that meeting and finally being able to put each other's face to a name, Jon called me in March to ask for my assistance in his "Opps" I did something again without knowing to ask and I need some help.

I right away called Mr. Kroh, who has been wonderful to work with – not being the same prior rumored negative response from City officials as once in the past has been rumored. We began sitting up a meeting with Jon explaining the special use permit process and rezoning application process. Jon has been very willing to work with us, considering his wife Melissa was in her ninth month of pregnancy with their first child.

As I've come to know the Gerke's - just to let you know a bit about them and yes – they have now had their sweet little baby boy on April 30 and Mom and baby are doing wonderful. Melissa is from Harrisonville and when Jon and Melissa married in January of 2020, Jon had already been operating ALL PRO CONCRETE DESIGNS, LLC (MO Charter # LC1337689) but with no "contractor yard" location and starting a new family Jon and Melissa wanted to bring the business to her home town where they could lay down roots with their children and business. Melissa believed it a great place to raise their children.

Jon and Melissa were able to locate and negotiate the purchase of a long-time community family parcel of approximately 10 acres that had just come up for sale in the Marble estate. It was the Carlton Marble family property with an existing commercial building for ALL PRO CONCRETE's new home and a family residence for Jon and Melissa and their family. Jon and Melissa both work in the business and wanted their business close to home where the family could be raised close by and no commuting to another town for work. Their plans are to expand the business by developing product and services for the Harrisonville community and other surrounding communities to meet demand. With the city's blessing they look forward to a life of growing their business and family in Harrisonville, Missouri.

Thank you,



WARNER LAW, LLC

Cynthia R. Warner, Esq.

1708 N. Commercial Street,

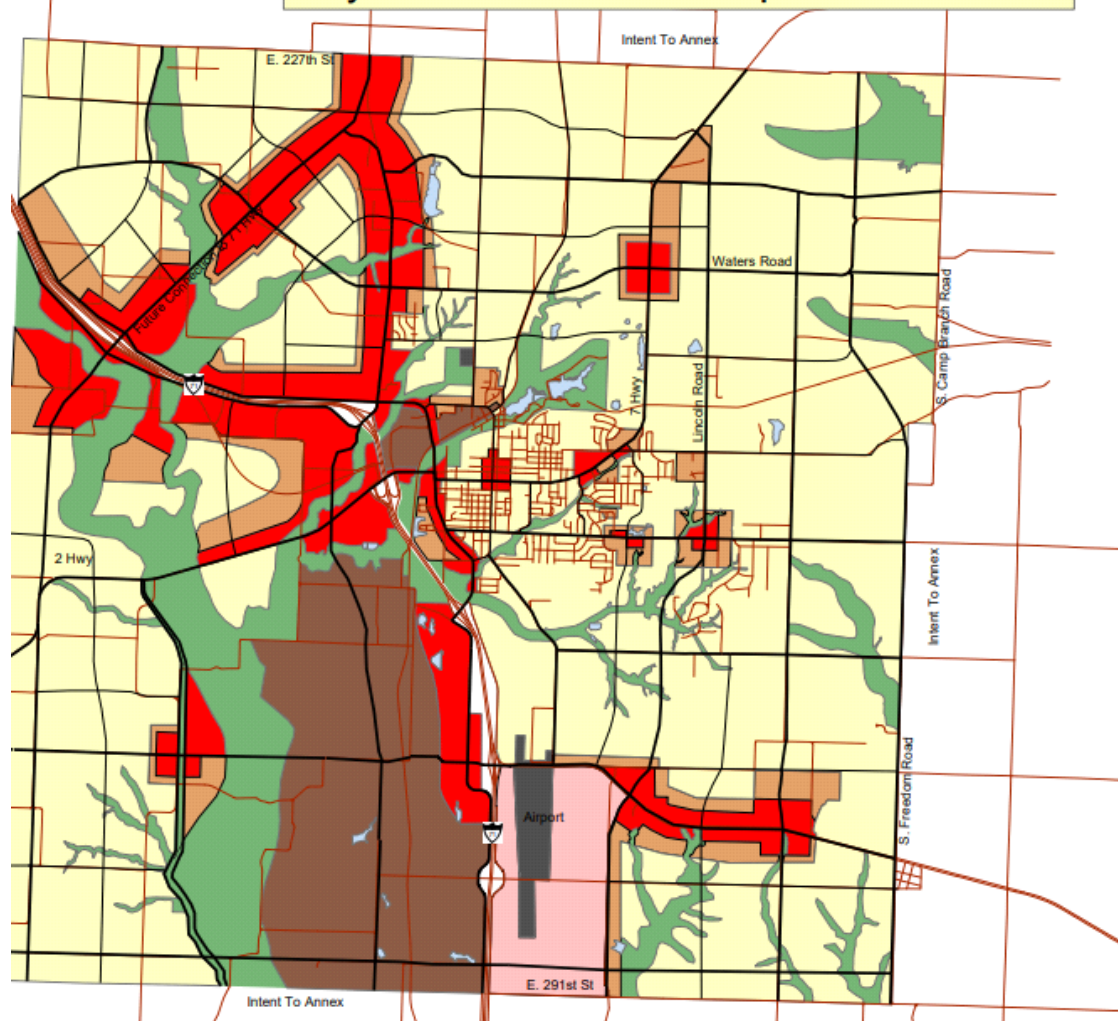
Suite A | Harrisonville, MO 64701

Ph.: 816-591-9875 | Fax: 866-235-6393

Email: cindy@warnerlawmo.com

COMPRHENSIVE PLAN

City of Harrisonville Comprehensive Plan



The intent of this map is to establish the logical framework for future development as a general, conceptual guide. This map builds upon the aspirations of the Comprehensive Plan to recommend general areas for various types of future development. It bridges the gap between existing and future development utilizing land use principles to guide new projects so that they may better blend into the fabric of the community.

This Future Land Use map is to be considered a guide for future development and should be closely adhered to. However, each proposed development should be judged upon its merit and compatibility with surrounding land uses as well as other goals and policies set by the governing body.

NOTES:

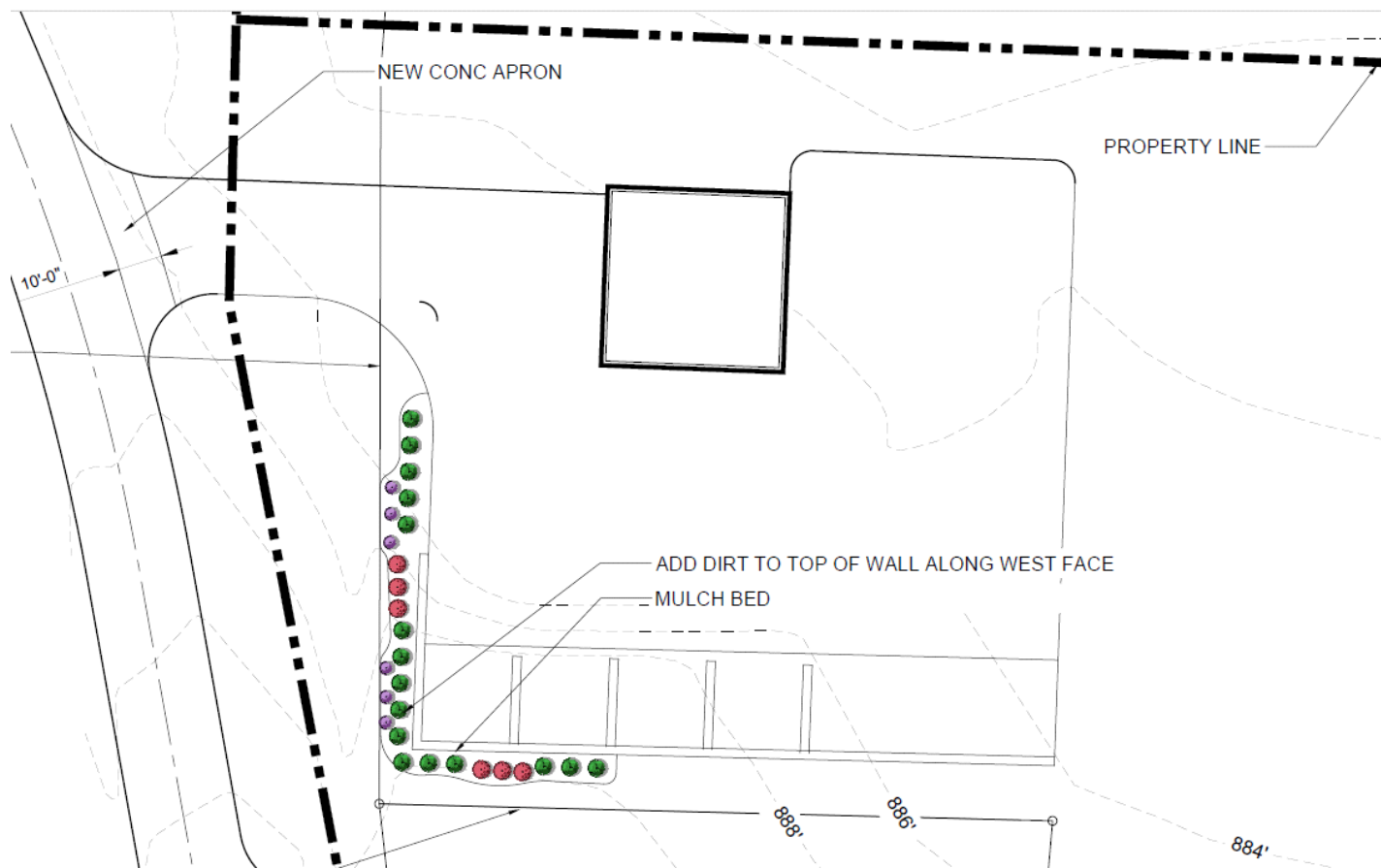
1. The commercial land use category may include retail uses, offices, or other types of uses typically found in commercial zoned districts.
2. Planned collector roadways are shown on this map. However, the City may require additional collector roadways to ensure adequate access to and circulation around existing, proposed and future developments.
3. Greenways, abandoned railroad right-of-way (including the existing bridges along US 71 and Highway 7) shall be preserved and protected to allow for future pedestrian connections and linkages with Harrisonville.



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Miles

- Local and County Roads
- Arterial Roads
- Collector Roads
- Moderate Density Residential
- Commercial
- Commercial-Light Industry
- Core Business District
- Greenway
- Industrial
- Institutional
- Low Density Residential

PROPOSED SITE PLAN



PLANT SCHEDULE

SHRUBS	BOTANICAL / COMMON NAME	SIZE	CONTAINER	QTY
	Juniperus chinensis 'Sea Green' / Sea Green Juniper Evergreen Shrub, Height 4'-6' Tall, Spread 4'-6' Wide	2 gal	Container	16
	Lagerstroemia 'PILLAG-V' / Enduring Summer™ Red Crape myrtle 4' Height, 4' Spread, Red flowers in late April, Deer Resistant, Moderate salt tolerance	3 gal	Container	6
	Physocarpus opulifolius 'SMPOTW' / Tiny Wine Ninebark White flowers. Bronze-maroon foliage. Very hardy, Height: 3'-5' Tall, Spread: 3'-4' Wide,	2 gal	Container	6

ZONING ORDINANCE REVIEW

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

Existing Zoning and Uses

North:	C-2 General Commercial Services District	Vacant tract. Streamway
East:	R-1 Single-family Residential District	Vacant tract. Pasture land
South	C-2 General Commercial Services District	Central Cass Fire District
	R-1 Single-family Residential District	Jon Gerke residence
West	C-2 General Commercial Services District	I-49

The 2002 Future Land Use Map designates this area as low-density residential. However, the zoning map shows an area approximately 200 deep from the East Outer Road zoned C-2 Commercial Service District. There is an existing commercial building on the site. The balance of land going toward Orchard Road is master-planned and zoned R-1. Based on the scattering of businesses and homes along East Outer Road, we see two zoning districts appropriate providing new commercial businesses meet the landscaping and screening requirements called for in the zoning ordinance when commercial zoning abuts residential zoning.

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

The existing area is wooded to the north and south of the Gerke's 10 acres, provided a good visual barrier. The proposed contractor yard will not be visible from I-49. With proper screening between the contractor yard and the residentially zoned land to the west, we believe an adequate buffer will exist when the residentially zoned land develops in the future.

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

The proposed contractor yard is not consistent with the 2002 Comprehensive Plan. However, it is consistent with the existing C-2 zoning along East Outer Road.

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

Provided additional landscaping is placed along the south and east boundaries of the contractor yard, we believe the proposed contractor yard is suitable for the property given the existing commercial building onsite and wooded areas along the north and south property lines of the Gerke property.

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 recent development along East Outer Road. The area is a mix of residential and commercial development. We see commercial development along East outer Road as being appropriate with future residential development to the east.

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

Staff believes there is no detrimental impact to surrounding property providing additional landscaping is placed along the south and east boundaries of the contractor yard.

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

Adequate public facilities exist for residential development. The existing building is not on public sewer. Given the lost intensity of sewage from the contractor yard, Public Works

does not recommend requiring the applicant to connect to public sewers which are at least 200-plus feet to the north.

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

Given the existing commercial building and existing commercial zoning on site, and the presence of other commercial uses along East Outer Road, we believe the C-2 portion of the property is suitable for a contractor yard. We have no objection to expanding the depth of the C-2 zoning if adequate landscaping is placed on the south and east perimeter of the site.

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

Other than the one existing commercial building on the C-2 tract, the property has remained vacant since zoned over 20 years ago.

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

The requested SUP and re-zoning are primarily in the interest of the applicant.

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.

LANDSCAPING

Section 405.570, Landscaping and Screening, states that when development in zoning district C-2 abuts R-1 zoned areas, screening shall consist of screening fences or natural screening such as earthen berm, shrubs, trees, bushes, etc. or a combination of screening methods. The screening shall be constructed in such a manner that will protect the visual integrity, sound integrity, and overall quality of the adjoining residential areas. Subsection 1(B) further states that shade trees

with a minimum trunk diameter between 2 and 2 ½ shall be placed on all projects. In the report is a site plan with landscaping shown that blocks the view from East Outer Road of much of the contractor yard. Staff wishes to work with the applicant to fine-tune the landscaping plan prior to consideration by the Board of Aldermen to ensure that adequate landscaping is added that will 1) fully block the view of the contractor yard from East Outer Road along the south line and 2) that the zoning code requirement is met when the R-1 area develops east of the contractor yard.

STORMWATER

The applicant has met with the City's stormwater engineer regarding the flood plain and requirements for a stormwater management plan and land disturbance permit. Only a small portion of the northeast corner of the contractor yard is in the 100-year flood plain.

PROPOSED CONDITIONS

1. The Use - This special use permit authorizes the operation of a contractor yard. .
2. Location - Approximately 1.6 acres at 2501 East Outer Road South. S.
3. Exterior Appearance - Building exteriors shall be maintained and painted, Landscaping shall be maintained and replaced if needed. Exterior grounds shall be kept clear of trash and debris.
4. Environmental -- The contractor yard 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.
5. Odors - The contractor yard shall be operated so as not to produce odors which a noticeable at the property line.
6. Vibration -- The contractor yard shall not be operated so as to produce vibration or concussion perceptible without instruments at the property line.
7. Noise Level -- The contractor yard shall not be operated so as to produce a noise at any point along the property line that exceeds seventy-five (75) dB(A) from 7 AM to 7 PM and sixty-five (65) dB(A) from 7 PM to 7 AM.
8. City, County and State Standards - The transfer station shall operate in conformance with all applicable City, County, State and Federal ordinances, regulations, and statutes.
9. Hard-surface drive and parking - A 10-ft. deep hard-surface approach shall be constructed meeting city standards.
10. Off-street parking - Hard-surface parking shall be constructed that meets City off-street parking and accessibility requirements of 5 spaces per 1000 sq. ft. of floor space of the primary building.

11. Trash enclosure - All trash dumpsters shall be contained in trash enclosures.
12. Landscaping and site plan - Prior to the approval of SUP by the Board of Aldermen, the applicant shall amend its landscaping plan to more fully screen the contractor yard from East Outer Road and to meet the City zoning ordinance screening requirements when commercial and residential zoning districts abut.
13. Time Limit - 10 years. Applicant may reapply for renewal of SUP.

RECOMMENDATION

Staff recommendation: Approval of motion recommending that the Board of Aldermen approve a special use permit for a contractor yard with the conditions contained in the staff report and rezoning from R-1 to C-2 of approximately 1.6 acres as depicted in the staff report.

STAFF CONTACT: Roger Kroh, Community Development Planner

H. Action Item (ID # 3906)

SUP & Rezoning, J Gerke Contractor Yard, 2501 E Outer RD