



**THE CITY OF
HARRISONVILLE**
WHERE TRADITION MEETS INNOVATION

**AGENDA
CITY OF HARRISONVILLE
PLANNING & ZONING COMMISSION
REGULAR MEETING
CITY HALL
JUNE 15, 2023
6:00 PM**

- 1. Call to Order**
 - A. Roll Call**
- 2. Approval of Minutes**
 - A. Planning & Zoning Commission - Regular Meeting - Apr 20, 2023 6:00 PM**
- 3. Agenda Items**
 - A. Public Hearing: Appl. #RZ-23-002 - REZONING from EP District to R-1 District at 2701 E Elm St.**
 - B. Consideration: Appl. #RZ-23-002 - REZONING from EP District to R-1 District at 2701 E. Elm St.**
 - C. Public Hearing: Code Creation: Section 405.574 Maximum Allowable Affordable Housing Units**
 - D. Consideration: Code Creation: Section 405.574 Maximum Allowable Affordable Housing Units**
 - E. Planning Commissioner Training Discussion**
- 4. Discussion Items**
- 5. Adjourn**

Posted on City Hall Bulletin Board this 8th day of June, 2023.

Daniel Barnett, City Clerk



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

DRAFT
MINUTES
CITY OF HARRISONVILLE
PLANNING & ZONING COMMISSION
REGULAR MEETING
CITY HALL
APRIL 20, 2023
6:00 PM

1. Call to Order

The meeting was called to order at 6:00 PM by Kevin Wood

Attendee Name	Organization	Title	Status	Arrived
Kevin Wood	Harrisonville	Chair	Present	
Chris Chiodini	Harrisonville	Vice-Chair	Absent	
Scott Milner	Harrisonville		Present	
Cheryl Bush	Harrisonville		Absent	
Wilbert Crawford	Harrisonville		Present	
Mike Zaring	Harrisonville	Mayor	Present	
Brian Pulliam	Harrisonville		Present	
Paul Mensching	Harrisonville		Present	
Milton Siegenthaler	Harrisonville		Present	

Also in attendance were Chris Derry, Builder; Bryan Bechler, Developer; Austin Thompson and Timothy Elliott, Atlas Land Consulting; Chris Arthur, Consultant for Developer; Rusty Sullivan, Fire Chief; Eric Myler, Fire Marshal; Dave Doerhoff, Alderman Liaison; Christina Stanton, Community Development Director; and Jamie Martin, Recording Secretary.

2. Approval of Minutes

A. Planning & Zoning Commission - Regular Meeting - Mar 16, 2023 6:00 PM

With no additions or correction, the minutes from the March 16, 2023, meeting were unanimously accepted.

**Paul Mensching and Mayor Zaring abstained from voting as they were not present at the previous meeting.*

RESULT:	ACCEPTED [5 TO 0]
AYES:	Wood, Milner, Crawford, Pulliam, Siegenthaler
ABSTAIN:	Mike Zaring, Paul Mensching
ABSENT:	Chris Chiodini, Cheryl Bush

Minutes Acceptance: Minutes of Apr 20, 2023 6:00 PM (Approval of Minutes)

3. Agenda Items

A. Burris Ridge 4th Prelim. Plat

Director Stanton presented the Staff Report for the Burris Ridge 4th Preliminary Plat. The applicant is seeking approval of the proposed preliminary plat of Burris Ridge 4th Plat, Lots 1 through 77. This will be platted all at once, not in phases. Director Stanton told the Commission of the key issues. The original Burris Ridge development contained 186 total lots, some planned for commercial use and some planned for duplexes. All of the lots are currently zoned single-family or planned single-family. She said that the proposed preliminary plat is largely the same, with larger lots to cater to the housing market. The overall street network is largely the same as the original preliminary plat, except the area around Roanoke Drive and Durham Circle have been reconfigured, Lady's Lane is further east, and the access to the north is no longer part of the overall plan. She also said that with the 66 lots that are currently platted and the 77 on the proposed preliminary, that there are 43 less lots than the original preliminary plat with 50 lots already built out. Director Stanton told the Commission that the 2018 IFC and Municipal Code both require a 2nd point of access. Section 410.490.J.4 states that: there shall be an adequate number of points of ingress to and egress from the subdivision to ensure sound traffic engineering design, smooth traffic flow into and out of all portions of the subdivision, based on the projected traffic on both existing and future streets and the public's safety. As a general rule, one point of ingress to and egress from the subdivision shall be required for each fifty dwelling units in the subdivision, which they are currently at. Section D107, Appendix D, of the 2018 International Fire Code also requires an additional point of access: "Developments of one, or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads." Section D107.2 deals with remoteness and states: "Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.". She said that the original preliminary plat had 2 accesses, 1 to the north that the developer did not own with no recorded easements to secure it. Director Stanton said that Staff recommended approval with the conditions stated in the Staff Report.

Fire Marshal Myler told the Commission that the second access is in the Code and that it is necessary for safety. Wilbert Crawford asked if there was a recommended place for a second access to the subdivision. Myler said that wherever ROW access from MODOT was granted.

Chris Arthur, representing the Developer, asked the Commission for consideration of how the development got to this point. He said that he is a Master Mechanical, Plumber, and Code Professional. He has been in this business for 46 years. The first part to consider is that in 2005 or 2006 MODOT denied an additional approach on Highway 7. Today they are only saying they will consider it. He also said that in his professional opinion the preliminary plat from then should hold. He told the Commission of things that have changed since the original plat; including less lots, and the recession. He discussed his interpretations of the codes and the width of the Burris Drive being acceptable in his opinion to meet the intent of the code.

Kevin Wood said that he was the Mayor at the time of the original preliminary plat, and he remembered that Hunter Drive was supposed to be the second access point. Austin Thompson, Atlas Land Consulting, said that Hunter Drive was only platted to a certain point north. It did not reach the north line of the property. That is why they did lot line adjustments using the stub.

Chris Arthur then asked the Commission to think about the definition of a 2nd access and the requirements. He said that putting a second access would cost \$600,000 to \$700,000 if it was even feasible.

Bryan Bechler told the Commission that they purchased the remaining lot in good faith that the subdivision was all approved by the preliminary plat from 2006.

Rusty Sullivan spoke to the Commission on the Fire Code requiring the second access. He said that traveling on a road you only need so much space, but working could mean that they need the entire road.

Wilbert Crawford asked where Fire/EMS was when the lots were combined. Fire Chief Sullivan said that they were not involved with those. Director Stanton stated that those were allowed to proceed due to there being no recorded easements or ROW.

Timothy Elliott stated that he mocked up a preliminary second access and with the elevation change and city standards it would be a minimum of 300 feet with a 10% slope. He said to make a safe design it would be very difficult.

Chris Arthur spoke to the Commission again about the Fire Code and State Legislature taking away the City's ability to require sprinklers.

Wilbert Crawford made a motion to recommend approval to the Board of Alderman as presented without Staff's recommendation. Brian Pulliam seconded.

RESULT:	RECOMMENDED FOR BOARD APPROVAL [6 TO 1]
AYES:	Wood, Milner, Crawford, Zaring, Pulliam, Siegenthaler
NAYS:	Paul Mensching
ABSENT:	Chris Chiodini, Cheryl Bush

4. Discussion Items

There were no discussion items.

5. Adjourn

With nothing further to come before the Commission, Scott Milner made a motion to adjourn. Wilbert Crawford seconded. The meeting was adjourned at 7:03 PM.

Respectfully Submitted,

Jamie Martin, Recording Secretary

STAFF REPORT

TO: Planning & Zoning Commission
FROM: Christina Stanton,
DATE: June 6, 2023
SUBJECT: Public Hearing: Appl. #RZ-23-002 - REZONING from EP District to R-1 District at 2701 E Elm St.

Type of Item: *Public Hearing*

A. Action Item (ID # 4552)

Public Hearing: Appl. #RZ-23-002 - REZONING from EP District to R-1 District at 2701 E Elm St.

Attachments:

Ford RZ Packet 6-15-23 (PDF)



To: Planning and Zoning Commission

From: Christina Stanton, AICP, Community Development Director

Date: June 15, 2023

Re: Appl. #RZ-23-002 – REZONING from Estate Planned (EP) District to Single-Family Residential (R-1) District on property located at 2701 E. Elm St.

GENERAL INFORMATION

Applicant: Virginia Ford

Requested Actions: Approval of Requested Rezone from Estate Planned (EP) District to Single-Family Residential (R-1) District

Date of Application: May 24, 2023

PROPOSAL

Ms. Virginia Ford is seeking approval of a requested Rezoning from Estate Planned (EP) District to Single-Family Residential (R-1) District, with the intent to split the existing lot into two lots as shown on the Exhibit. The property must be rezoned in order for the property to be further divided as the minimum lot size for the Estate Planned District is three (3) acres.

Please see the attached zoning and aerial maps.

The surrounding properties are currently zoned as follows:

North (across Elm St.): Orient Cemetery located in Cass County

East: A (Agriculture District) – Crown Care Nursing Facility

South: R-1 (Single-Family Residential District) – Single-Family Residences in East Elm Estates

West: R-1 (Single-Family Residential District) – Single-Family Residences in East Elm Estates

PREVIOUS ACTIONS

- March 25, 1996—The Board of Aldermen approved an Ordinance (#2216) to annex certain adjacent territory owned by Robert A. and Virginia L. Ford.
- May 13, 1996—The Board of Aldermen approved a Rezoning of property from unzoned to EP (Estate Planned) District for property located at 2701 E. Elm Street by Ordinance #2242.

KEY ISSUES

- This property is currently zoned Estate Planned (EP) District.
- The City's 2040 Comprehensive Plan shows the property and surrounding area as Suburban Neighborhood, which allows for single-family homes, cottage courts, townhomes, and small-scale apartments.

- The applicant is requesting to Rezone the property to R-1 (Single-Family Residential) District, which allows for single-family and accessory dwelling units for dwellings.
- The applicant is planning to divide the property into two lots as shown on the Exhibit but must first rezone to the R-1 District to be able to do so.
- The existing sanitary sewer that serves 2701 E. Elm Street is a 4-inch lateral line. The newly created lot will have to have a second sewer lateral line constructed for service on the Lot 2 property. The line will need to connect to the existing sanitary sewer located between Lots 40 and 41 in East Elm Estates.

STAFF COMMENTS AND SUGGESTIONS

The City's 2040 Comprehensive Plan shows this area as "Suburban Neighborhood". According to page 36 of the City's Comprehensive Plan, "While single-family homes are the predominate housing type, these neighborhoods may also include accessory dwelling units ("mother-in-law suites"), cottage courts, townhomes, and small-scale apartments". The use of the property as a single-family residence is compatible with the city's vision of this area being a "Suburban Neighborhood".

Additionally, the proposed new lots meet or exceed the zoning district requirements in the following ways:

Comparison of Minimum Dimensional Standards with Proposed Lots				
District/Standard	Lot Size	Lot Width	Lot Depth	% Impervious Coverage
R-1	8,500 sqft.	75 feet	N/A	35%
Proposed	76,585 – 76,974 sqft.	331.6 feet	230.4 - 232.7 feet	0 – 20%

Staff recommends approval of the requested rezone from Estate Planned (EP) District to Single-Family Residential (R-1) District.

STAFF RECOMMENDATION

Staff recommends approval of the requested rezone from Estate Planned (EP) District to Single-Family Residential (R-1) District with the following condition:

- 1) The builder of Lot 2 shall install a sewer lateral line to serve the house on that lot and said line shall connect to the existing sanitary sewer located between Lots 40 and 41 in East Elm Estates.

ATTACHMENTS

Application
 Zoning Exhibit
 Ordinance #2216
 Ordinance #2242
 Zoning Map
 Aerial Map



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

LAND USE – ZONING APPLICATION

Application Type

- ☒ Rezoning (Fee \$300.00 + \$65 Notice Fee) ☐ Preliminary Development Plan (Fee \$300.00 + \$65 Notice Fee)
- ☐ Special Use Permit (Fee \$300.00 + \$65 Notice Fee) ☐ *Final Development Plan (Fee \$200.00)
- * Staff-only approval required

Applicant and Owner Information

Applicant (Print): Virginia Ford Signature: Virginia Ford
 Company Name: _____
 Street Address: 2701 E Elm City: Harrisonville State: MO Zip: 64701
 Phone: 816-616-3877 Email: gs.house1@gmail.com

Property Owner Authorization (Provide contact information and signatures of all property owners.)

Property Owner Name (print): Virginia Ford Signature: Virginia Ford
 Street Address: 2701 E Elm City: Harrisonville State: MO Zip: 64701
 Phone: 816-616-3877 Email: _____

Firm Preparing Application:

Contact: _____
 Street Address: _____ City: _____ State: _____ Zip: _____
 Phone: _____ Email: _____

*All correspondence should be sent to: Applicant _____ Property Owner _____ Firm _____

Project Information

General Location or Address: 2701 E Elm
 Project Description: ~~2701~~ Acres or Sq. Ft. _____
 Current Zoning: Estate Proposed Zoning: R1

Items to be Submitted 30 Days Before Planning Commission Meeting

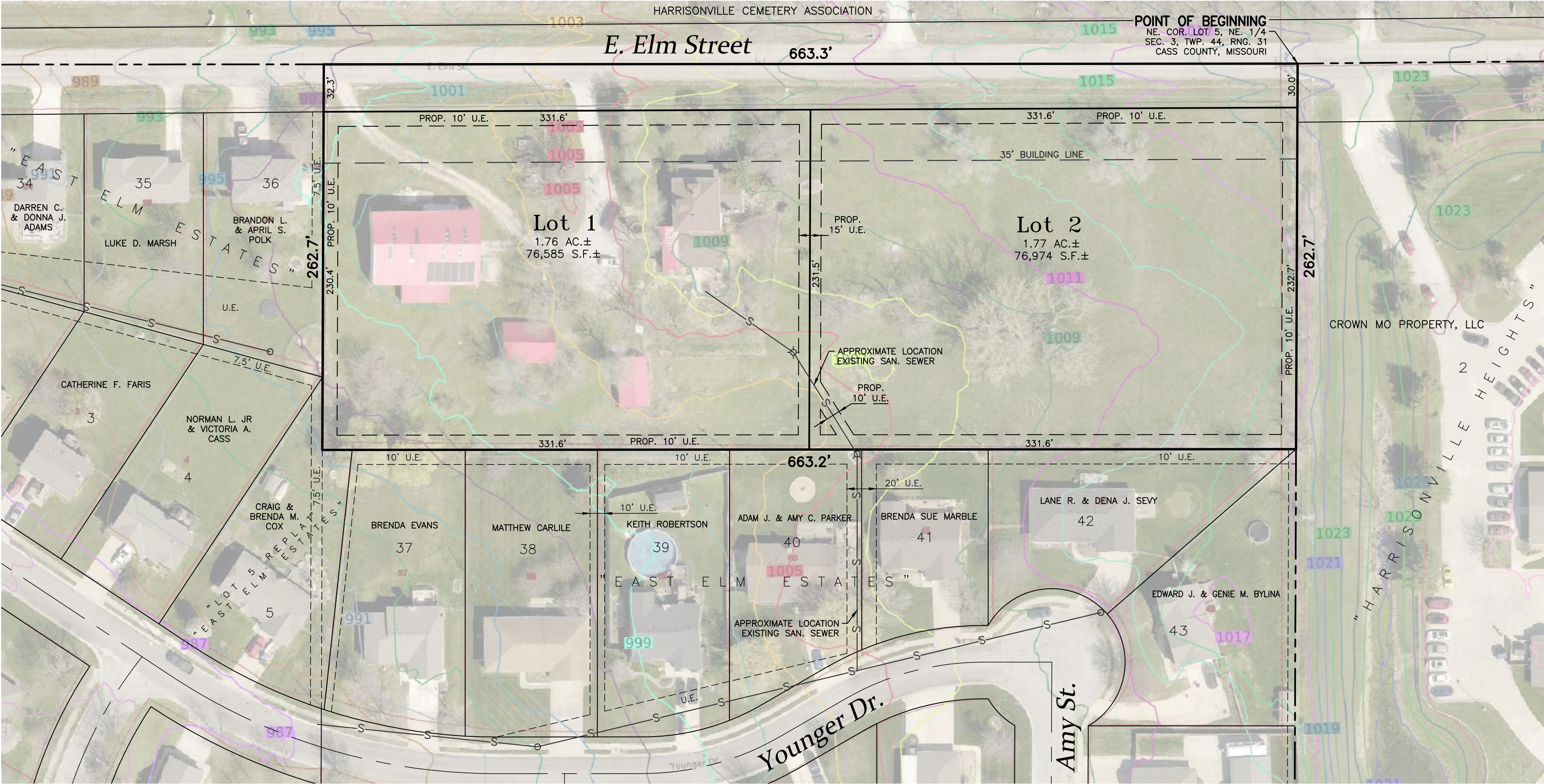
- ___ 1) Application
- ___ 2) Filing Fee – Payable to City of Harrisonville or contact the Community Development Office to pay by phone.
- ___ 3) Site Plan drawn to scale and showing adjacent tracts within 185 ft. and current ownership. Four (4) copies of at least 8 1/2" x 11", and one (1) electronic copy emailed to the planner.
- ___ 4) Email full legal description in WORD to planner (not assessor's abbreviated description).

City Staff may modify submittal requirements as necessary.

For Office Use Only

Case No RZ-23-002 Filing Fee: Amount Paid \$ 305.00 Date Application Received: 5/24/23
 Staff-only approval: _____ P&Z meeting: 6/15/23 BOA Meeting: 6/20/23

Zoning Sketch



Notes:

1. THIS DOES NOT CONSTITUTE A PROPERTY BOUNDARY SURVEY, THIS ZONING SKETCH IS FOR PLANNING PURPOSES ONLY. DIMENSIONS AND AREAS SHOWN ARE BASED ON DEED DIMENSIONS OF THE SUBJECT TRACT.
2. RECORD DEED AND ADJACENT PARCEL DEED INFORMATION WAS NOT PROVIDED BY THE CLIENT, THIS INFORMATION WAS OBTAINED BY THE SURVEYOR FROM THE CASS COUNTY GIS MAP. THE RECORD DEED USED FOR THIS ZONING SKETCH IS A WARRANTY DEED, BOOK 4070, PAGE 3, RECORDER OF DEEDS, CASS COUNTY, MISSOURI. IF OTHER DEEDS EXIST THAT AFFECT THIS TRACT THE CLIENT SHALL NOTIFY THE SURVEYOR AND PROVIDE A COPY OF SAID OTHER DEEDS TO THE SURVEYOR.
3. THIS SURVEYOR HAS MADE NO OTHER INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
4. APPROXIMATE SANITARY SEWER LOCATIONS HAVE BEEN SHOWN ON THIS ZONING SKETCH. NO OTHER ATTEMPT HAS BEEN MADE AS A PART OF THIS ZONING SKETCH TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY, OR LOCATION OF ANY UTILITY OR MUNICIPAL / PUBLIC / PRIVATE SERVICE FACILITY. FOR INFORMATION REGARDING THESE UTILITIES OR FACILITIES, CONTACT THE APPROPRIATE AGENCIES.
5. THE SUBJECT PROPERTY IS NOT WITHIN THE LIMITS OF THE 100 YEAR FLOOD PLAIN AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP NO. 29037C0187F AND NO. 29037C0189F, BOTH DATED JANUARY 2, 2013.
6. NO ATTEMPT HAS BEEN MADE AS A PART OF THIS ZONING SKETCH TO DETERMINE WHETHER JURISDICTIONAL WATERS OF THE UNITED STATES ARE PRESENT ON THIS PROPERTY; WHETHER THIS SOIL IS SUITABLE FOR A SEPTIC SYSTEM; WHETHER THE SOIL IS SUITABLE TO SUPPORT A FOUNDATION OR INFRASTRUCTURE IMPROVEMENTS; WHETHER ANY EXISTING SEWAGE TREATMENT FACILITIES THAT SERVE THIS PROPERTY MEET APPLICABLE HEALTH DEPARTMENT OR MISSOURI DEPARTMENT OF NATURAL RESOURCES REGULATIONS; WHETHER THIS PROPERTY HAS DRIVEWAY ACCESS TO A STATE, COUNTY, OR CITY ROADWAY RIGHT-OF-WAY OR THAT ONE WILL BE GRANTED; THAT ANY EXISTING OR PROPOSED DRIVEWAY OR ROAD ACCESS TO A PUBLIC ROADWAY MEETS SAFETY CRITERIA OF THE STATE, COUNTY, OR CITY; WHETHER UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES OR UTILITIES OR WASTE MATERIALS MAY OR MAY NOT EXIST WHICH MAY AFFECT THIS PROPERTY.

Zoning:

CURRENT: "E" ESTATE DISTRICT
REQUESTED: "R-1" SINGLE-FAMILY RESIDENTIAL DISTRICT

Record Description:

BOOK 4070, PAGE 3
PART OF THE EAST HALF OF LOT 5 OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 44, RANGE 31, IN, CASS COUNTY, MISSOURI, DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF LOT 5 OF THE NORTHEAST QUARTER OF SECTION 3, AFORESAID, AND RUNNING THENCE SOUTH 89 DEGREES 57 MINUTES 22 SECONDS WEST, ALONG THE NORTH LINE THEREOF, 663.29 FEET; THENCE SOUTH 0 DEGREES 12 MINUTES 33 SECONDS WEST, 262.71 FEET, THENCE NORTH 89 DEGREES 57 MINUTES 22 SECONDS EAST, 663.18 FEET TO A POINT ON THE EAST LINE OF SAID LOT 5; THENCE NORTH 0 DEGREES 13 MINUTES 58 SECONDS EAST, 262.71 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE RIGHT-OF-WAY OF ELM STREET.

REVISED: 5/24/23 - LOT SIZES

FOR: VIRGINIA FORD PO BOX 536, HARRISONVILLE, MO 64701



Bowers Land Survey Co. LLC

P.O. BOX 541
1000 W. MECHANIC STREET
HARRISONVILLE, MISSOURI 64701
TELEPHONE: 816.225.0160
WEBSITE: BOWERSSURVEY.COM

SITE ADDRESS: 2701 E. ELM ST, HARRISONVILLE, MO 64701

SECTION	TOWNSHIP	RANGE	COUNTY	STATE	DATE	JOB NO.
3	44	31	CASS	MISSOURI	5/24/23	21831-22

DRAWING NO. 21831ZS.DWG DRAWN BY: TSB CHECKED BY: TSB

BOWERS LAND SURVEY CO. LLC, LAND SURVEYING, MISSOURI STATE CERTIFICATE OF AUTHORITY NO. LS-2020010824

COUNCIL BILL 024

ORDINANCE NO. 2216 (21-96)

AN ORDINANCE TO ANNEX CERTAIN ADJACENT TERRITORY OWNED BY ROBERT A. AND VIRGINIA L. FORD, INTO THE CITY OF HARRISONVILLE, MISSOURI.

WHEREAS, a verified petition was signed by the owners of the real estate hereinafter described requesting annexation of said territory into the City of Harrisonville, Missouri, was filed with the City Clerk; and

WHEREAS, said real estate as hereinafter described is adjacent and contiguous to the existing corporate limits of the City of Harrisonville, Missouri, and

WHEREAS, a public hearing concerning said matter was held at the City Hall in Harrisonville, Missouri, at the hour of 7:30 p.m. on Monday, March 11, 1996; and

WHEREAS, notice of said public hearing was given by publication of notice thereon in the CASS COUNTY DEMOCRAT MISSOURIAN, a weekly newspaper of general circulation in the County of Cass, State of Missouri; and

WHEREAS, at said public hearing, all interested persons, corporations, or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation; and

WHEREAS, the City and Property Owners have fully executed a certain Annexation Agreement addressing details pertaining to the annexation; and

WHEREAS, no written objection to the proposed annexation was filed with the Board of Aldermen, City of Harrisonville, Missouri, within fourteen (14) days after the public hearing; and

WHEREAS, the Board of Aldermen of the City of Harrisonville, Missouri, does find and determine that said annexation is reasonable and necessary for the proper development of the City; and

WHEREAS, the City is able to furnish normal municipal services to said area within a reasonable time after annexation;

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

Section 1: Pursuant to the provision of Section 71.012 RsMO. the following described real estate is hereby annexed into the City of Harrisonville, Missouri, to-wit:

Part of the East Half of Lot 5 of the Northeast Quarter of Section 3, Township 44, Range 31, in Cass County, Missouri, described as beginning at the Northeast corner of Lot 5 of the Northeast Quarter of Section 3, aforesaid, and running thence South 89 degrees 57 minutes 22 seconds West, along the North line thereof, 663.29 feet; thence South 0 degrees 12 minutes 33 seconds West, 262.71 feet; thence North 89 degrees 57 minutes 22 seconds East, 663.18 feet to a point on the East line of said Lot 5; thence North 0 degrees 13 minutes 58 seconds East, 262.71 feet to the Point of Beginning. Subject to the right-of-way of Elm Street (Cemetery Road).

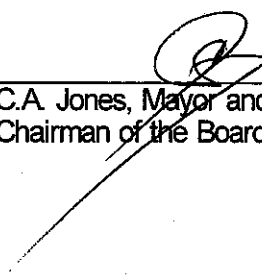
COUNCIL BILL 024
ORDINANCE NO. 2216 (21-96)
Page 2

Section 2: That the boundaries of the City of Harrisonville, Missouri, are hereby altered so as to encompass the above described tract of land lying adjacent and contiguous to the present corporate limits.

Section 3: That the City Clerk of the City of Harrisonville is hereby ordered to cause three certified copies of this ordinance to be filed with the Cass County Clerk.

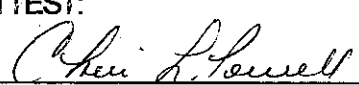
Section 4: That this ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

Read two times by title only on March 25, 1996, and duly passed by the Board of Aldermen of the City of Harrisonville, Missouri, this 25th day of March, 1996.



C.A. Jones, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:



Cheri L. Powell, City Clerk

APPROVED by the Mayor this 25th day of March, 1996.

COUNCIL BILL 054

ORDINANCE NO. 2242 (47-96)

AN ORDINANCE TO APPROVE REZONING APPLICATION OF ROBERT A. AND VIRGINIA L. FORD FOR REZONING OF PROPERTY FROM UNZONED TO EP (ESTATE PLANNED DISTRICT) CERTAIN PROPERTY LOCATED AT 2701 E. ELM STREET.

WHEREAS, the Planning and Zoning Commission of the City of Harrisonville, Missouri, held a public hearing on April 24, 1996, in regard to the rezoning application of ROBERT A. AND VIRGINIA L. FORD to rezone the hereinafter described property; and

WHEREAS, the Planning and Zoning Commission on April 24, 1996, recommended the hereinafter described property be rezoned from unzoned to EP (Estate Planned District);

WHEREAS, the Board of Aldermen of the City of Harrisonville, Missouri, held a public hearing on May 13, 1996; and after considering the property to be rezoned and the surrounding properties, and for the purpose of promoting the public health, safety, morals and considering the general welfare of the community, it is determined that the hereinafter described property should be rezoned; and

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

Section 1: That the Board of Aldermen of the City of Harrisonville, Missouri, hereby finds and declares that the following described property owned by ROBERT A. AND VIRGINIA L. FORD shall be rezoned from unzoned to EP (Estate Planned District), to-wit:

Part of the East Half of Lot 5 of the Northeast Quarter of Section 3, Township 44, Range 31, in Cass County, Missouri, described as beginning at the Northeast corner of Lot 5 of the Northeast Quarter of Section 3, aforesaid, and running thence South 89 degrees 57 minutes 22 seconds West, along the North line thereof, 663.29 feet; thence South 0 degrees 12 minutes 33 seconds West, 262.71 feet; thence North 89 degrees 57 minutes 22 seconds East, 663.18 feet to a point on the East line of said Lot 5; thence North 0 degrees 13 minutes 58 seconds East, 262.71 feet to the Point of Beginning. Subject to the right-of-way of Elm Street (Cemetery Road).

This property is generally located at the 2701 E. Elm Street.

Section 2: That the official zoning map of the City of Harrisonville shall be amended to reflect such changes in zoning.

Section 3: That this ordinance shall be effective immediately upon its passage and approval.

COUNCIL BILL 054
ORDINANCE NO. 2242 (47-96)
Page 2

Read two times by title only on May 13, 1996 and duly passed by the Board of Aldermen and approved by the Mayor of the City of Harrisonville, Missouri, this 13th day of May, 1996.



C.A. Jones, Mayor and Ex-Officio
Chairman of the Board of Aldermen

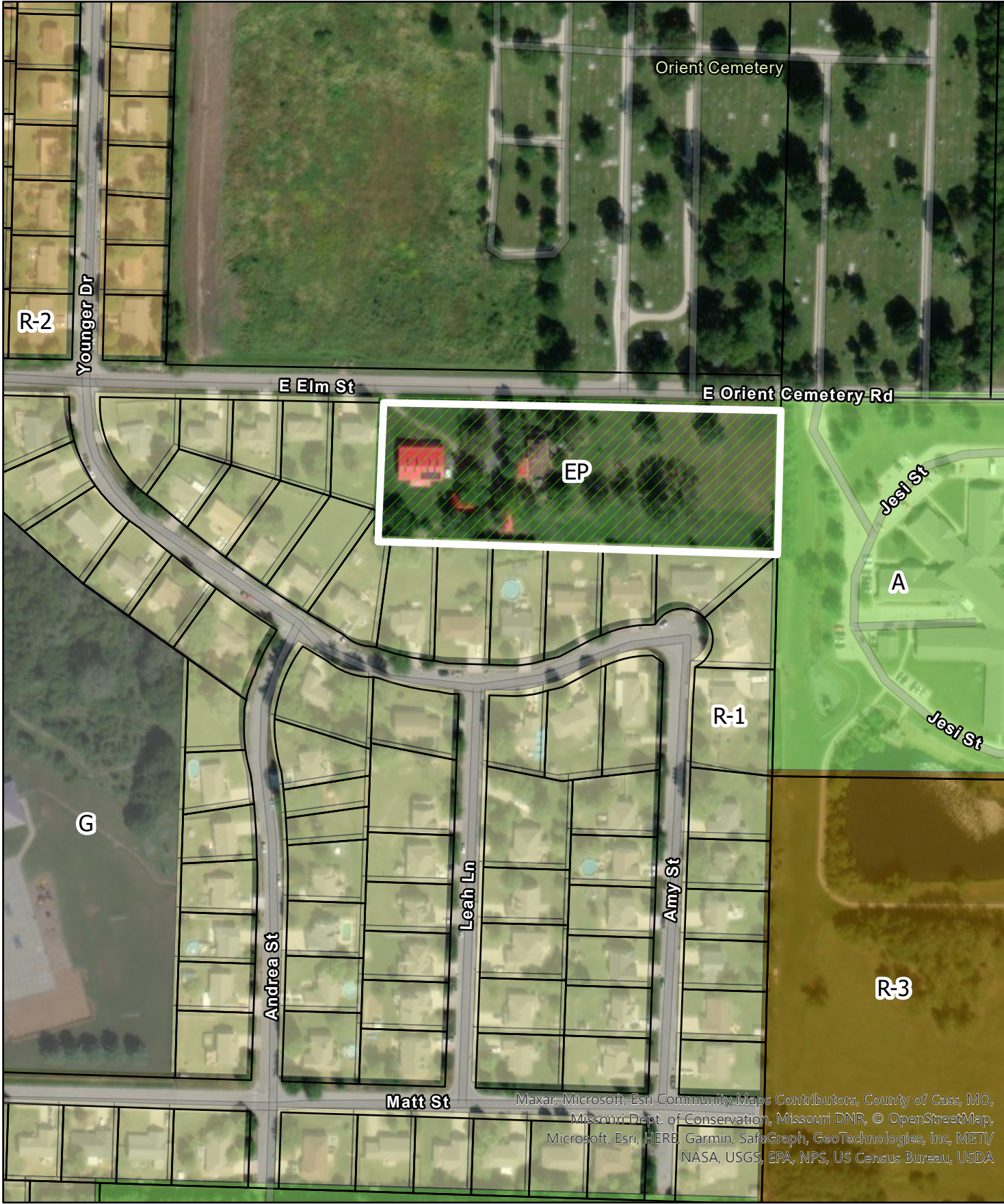
ATTEST:



Cheri L. Powell, City Clerk

APPROVED by the Mayor this 13th day of May, 1996.

Zoning Map

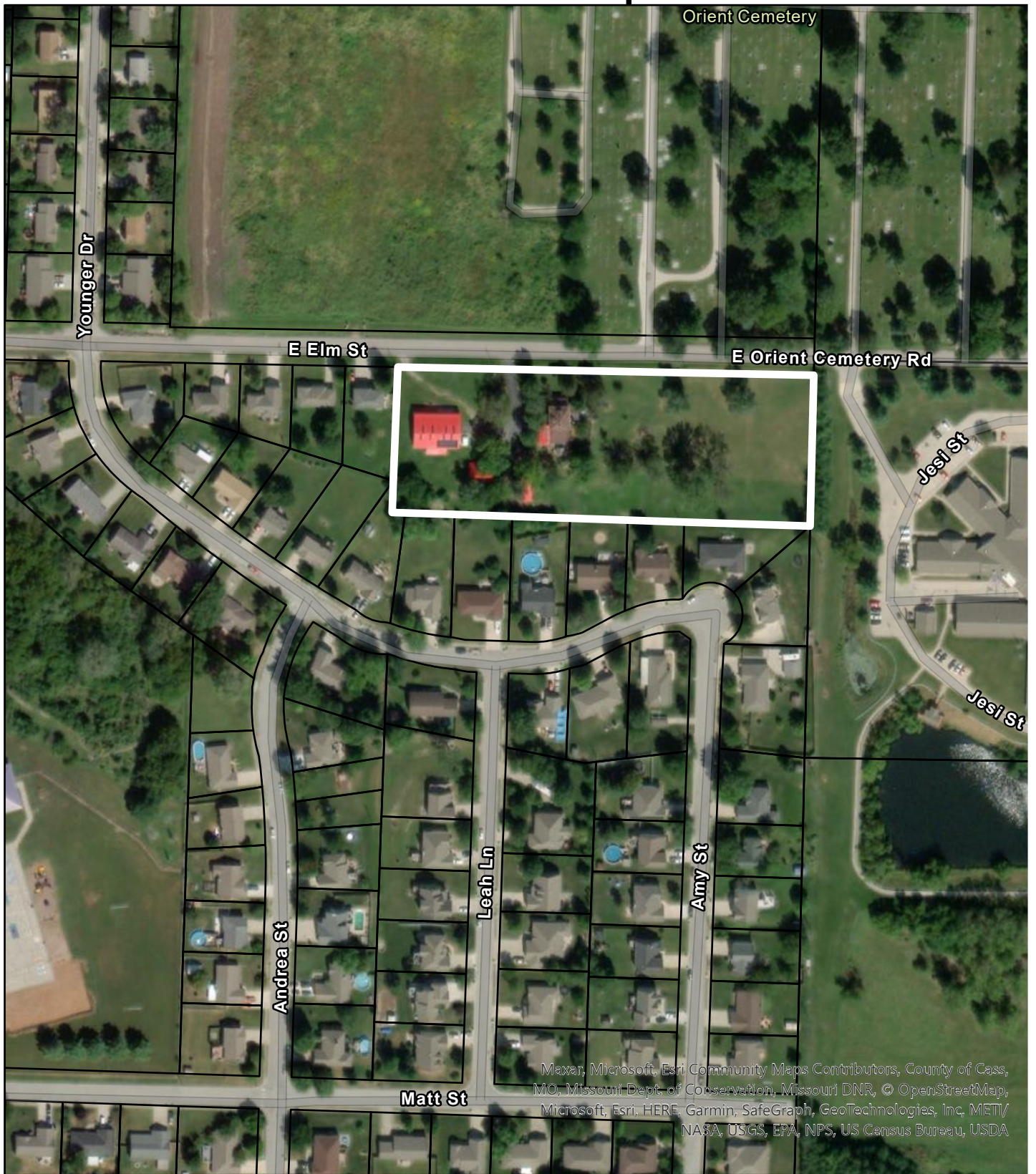


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Attachment: Ford RZ Packet 6-15-23 (Public Hearing: Appl. #RZ-23-002 - REZONING from EP District to R-1 District at 2701 E Elm St.)

0 135 270 540 US Feet

Aerial Map



Maxar, Microsoft, Esri Community Maps Contributors, County of Cass, MO, Missouri Dept. of Conservation, Missouri DNR, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/ NASA, USGS, EPA, NPS, US Census Bureau, USDA

Attachment: Ford RZ Packet 6-15-23 (Public Hearing: Appl. #RZ-23-002 - REZONING from EP District to R-1 District at 2701 E Elm St.)

0 185 370 740 US Feet

N

STAFF REPORT

TO: Planning & Zoning Commission
FROM: Christina Stanton,
DATE: June 8, 2023
SUBJECT: Consideration: Appl. #RZ-23-002 - REZONING from EP District to R-1 District at 2701 E. Elm St.

Type of Item: *Approval*

B. Action Item (ID # 4553)

Consideration: Appl. #RZ-23-002 - REZONING from EP District to R-1 District at 2701 E. Elm St.

STAFF REPORT

TO: Planning & Zoning Commission
FROM: Christina Stanton,
DATE: June 8, 2023
SUBJECT: Public Hearing: Code Creation: Section 405.574 Maximum Allowable Affordable Housing Units

Type of Item: *Public Hearing*

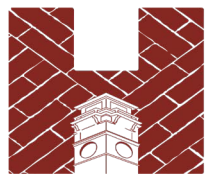
C. Action Item (ID # 4555)

Code Creation: Section 405.574 Maximum Allowable Affordable Housing Units

Attachments:

Code Creation-Section 405.574 Max Allowable Affordable Housing Units 6-15-23 P&Z (PDF)

O. Affordable Housing Units Ordinance (00043243)(DOCX)



To: Board of Aldermen Work Session

From: Christina Stanton, AICP, Community Development Director

Date: June 5, 2023

Re: Public Hearing: Code Creation—Section 405.574 Maximum Allowable Affordable Housing Units

GENERAL INFORMATION

Applicant: Community Development Department, City of Harrisonville

Requested Actions: Approval of Proposed New Section of Code

Date of Application: N/A

PROPOSAL

The proposed ordinance creates code Section 405.574 Maximum Allowable Affordable Housing Units. Staff is requesting the Planning & Zoning Commission recommend approval of the proposed ordinance.

PREVIOUS ACTIONS

- **June 5, 2023**—The Board of Aldermen, at a work session, further discussed imposing a limitation on the percentage of subsidized housing units to be allowed in all future new multi-family developments. Much of the discussion was on the changes in the poverty rate and how, in a normalized population, the poverty rate tends to be between 12 and 14 percent.
- **May 15, 2023**—The Board of Aldermen, at a work session, discussed the recently completed Housing Study. The Housing Study indicated that approximately 40% of all the housing stock within the City of Harrisonville is rental. It further stated that 29% of the rental stock is currently subsidized.
- **July 8, 2022**—The Board of Aldermen established a one-year moratorium on applications to establish subsidized housing in Harrisonville, with direction for City staff to complete a full evaluation of the need, or lack thereof, for subsidized housing in the Harrisonville community.

SUMMARY/KEY ISSUES

- **Highlights from the Housing Study:**
 - The single-family housing market is stable at 66%, but the rental market is considered high at 41% of the housing stock.
 - Harrisonville is active in three (3) federal government programs to assist low-income renters: Housing Choice Voucher (148), Section 8 (86), and Low-Income Housing Tax Credit (246).
 - The total as a percentage of renter households is 29%, significantly higher than the metropolitan area (21%).
 - Harrisonville's owner-occupied units are more affordable than the metropolitan area.

- More affordable, rental properties are needed to support the market and to lower the number of cost-burdened households.
- Professor Kirk McClure, “Problems arise when households with income below poverty are spatially concentrated whether subsidized or not. Generally, about 12 to 14% of the population lives in poverty. If markets had absolutely even distribution of poverty, every neighborhood would contain a population with 12 to 14%. George Galster’s work suggests that problems occur when poverty gets concentrated to 20% and is very harmful at 30% and above...Subsidized housing is a response to poverty, not a cause of it.”

Statistic/Place	City of Harrisonville (2021 ACS, 5 Yr. Estimates)	Cass County (2021 ACS, 1 Yr. Estimates)	State of Missouri (2021 ACS, 1 Yr. Estimates)	Nation (2021 ACS, 1 Yr. Estimates)
Poverty	10.7%	6.4%	12.7%	12.8%
Margin of Error (% Range)	2.8 (7.9 – 13.5%)	2.2 (4.2 – 8.6%)	0.4 (12.3 – 13.1%)	0.1 (12.7 – 12.9%)

City of Harrisonville Poverty Rate Comparison with American Community Survey (ACS) 5 Year Estimates			
Statistic/Year (Range)	2021 (2021 – 2017)	2020 (2020 – 2016)	2019 (2019 – 2015)
Poverty	10.7%	14.7%	17.6%

STAFF RECOMMENDATION

Staff recommends that the Planning & Zoning Commission recommend approval of the proposed ordinance creating Section 405.574 Maximum Allowable Affordable Housing Units.

ATTACHMENTS

Proposed Ordinance

Council Bill No. ____

Ordinance No. ____

**AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF
HARRISONVILLE, MISSOURI ESTABLISHING A MAXIMUM ALLOWABLE
PERCENTAGE OF AFFORDABLE HOUSING UNITS**

WHEREAS, the City of Harrisonville currently has adequate affordable housing within the City and additional affordable housing may adversely affect the quality and the availability of market-rate rental properties; and

WHEREAS, the American Community Survey determined the percentage of Harrisonville citizens living in poverty is 10.7%, while the percentage of Cass County, Missouri citizens living in poverty is 6.4%; and

WHEREAS, the City of Harrisonville conducted a year-long housing study that showed the City currently has a disproportionate amount of rental housing compared to single family housing and the overall rental rates were depressed due to competition in the community caused by subsidized housing; and

WHEREAS, depressed rental rates lead to lower quality and inadequately maintained rental housing; and

WHEREAS, the City of Harrisonville consultant advised the City that too much rental housing can stagnate a city's growth; and

WHEREAS, the City of Harrisonville desires to establish a maximum allowable percentage of affordable housing units in all new multi-family housing developments.

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

Section 1: Section 405.574 of the Code is hereby established to read as follows:

“Maximum Allowable Affordable Housing Units.

All new multi-family housing developments shall not maintain more than twelve percent (12.00%) of the total number of housing units as “affordable units.” Affordable units are defined as units rented to those with a state, or federal, government housing subsidy or voucher. If a property and/or building is deemed blighted by the Community Development Department, then a majority of the Board of Aldermen may amend the percentage requirement in this Section to a different percentage requirement.”

Section 2: That this Ordinance shall be in effect immediately upon passage.

Read for the first time by title only on the 20th day of June 2023. Read for the second time by title only on the 3rd day of July 2023.

Mike Zaring, Mayor

ATTEST:

Daniel Barnett, City Clerk

APPROVED by the Mayor this 3rd day of July 2023.

STAFF REPORT

TO: Planning & Zoning Commission
FROM: Christina Stanton,
DATE: June 8, 2023
SUBJECT: Consideration: Code Creation: Section 405.574 Maximum Allowable Affordable Housing Units

Type of Item: *Approval*

D. Action Item (ID # 4556)

Consideration: Code Creation: Section 405.574 Maximum Allowable Affordable Housing Units

STAFF REPORT

TO: Planning & Zoning Commission
FROM: Christina Stanton,
DATE: June 8, 2023
SUBJECT: Planning Commissioner Training Discussion

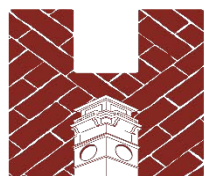
Type of Item: *Discussion*

E. Action Item (ID # 4554)

Planning Commissioner Training Discussion

Attachments:

Planning Commission Training (PDF)



To: Planning and Zoning Commission

From: Christina Stanton, AICP, Community Development Director

Date: June 15, 2023

Re: Planning Commission Training

GENERAL INFORMATION

As Planning Commissioners, a number of items are regularly brought to this public body for review and recommendation, and sometimes approval. The purpose of this training is to review the type of items that come before this body, the role of the Planning Commissioner, and the overall development process.

Items that typically require review by the Planning Commission include:

- Major plats—preliminary and final,
- Rezoning,
- Preliminary development plans,
- Special use permits,
- Amendments to the zoning or subdivision codes, and
- The City’s Comprehensive Plan (creation or amendments thereto).

The Planning & Zoning Commission has the authority to approve the City’s Comprehensive Plan and amendments thereto, City municipal code relating to this is found in Article III—City Plan, Chapter 400: Planning and Zoning. Article II—Planning and Zoning Commission of the same chapter contains regulations pertaining to the creation, composition, terms, removal, filling of vacancies, compensation, officers, organization, expenditures, and powers and duties of planning commissioners. The Planning & Zoning Commission acts as the recommending body for all other items that come before the Commission as a “public hearing”. The recommendation of the Commission is forwarded to the Board of Aldermen.

Chapter 405: Zoning Regulations, contains the rules and regulations pertaining to specific zoning districts (including the Historic Preservation District), dimensional standards such as minimum lot size and setbacks, allowable uses, special uses, rezoning, development plans, supplementary standards, the Board of Zoning Adjustment, and code amendments. The Planning & Zoning Commission is tasked with reviewing the application with the aid of the staff report and any attached resources against the adopted zoning and subdivision codes.

RESOURCES

- Planetizen (www.planetizen.com) – This site is somewhat of a clearinghouse for planning information and articles, mostly across the nation but it sometimes has international information.
- PlannersWeb (<https://plannersweb.com/>) – This site provides news and information for “citizen planners” including special links just for Planning Commissioners. Some articles of interest may include:
 - “Planner and Commissioner—Why Serve on a Planning Commission?” (<https://plannersweb.com/2013/06/planner-and-commissioner1/>)

- “Planner and Commissioner—Surprises” (<https://plannersweb.com/2013/06/planner-and-commissioner2/>)
- “Planner and Commissioner—Advice for Planning Commissioners” (<https://plannersweb.com/2013/06/planner-and-commissioner3/>)
- The Official Website of the American Planning Association (www.planning.org) – This site contains tons of information under the “Knowledge Center” and “Policy and Advocacy”.