



**AGENDA
CITY OF HARRISONVILLE
PLANNING AND ZONING COMMISSION
REGULAR MEETING
CITY HALL
APRIL 17, 2025
6:00 PM**

- 1. Call to Order**
 - A. Roll Call**
- 2. Approval of Minutes**
 - A. Minutes from the March 20, 2025, meeting.**
- 3. Agenda Items**
 - A. Appl. #SUP-25-001—SPECIAL USE PERMIT for outdoor storage of empty and unused roll-off containers at land located at 2101 Clearwater Drive and Parcel #13-31-05-000-000-008.001 - PUBLIC HEARING**
 - B. Appl. #SUP-25-001—SPECIAL USE PERMIT for outdoor storage of empty and unused roll-off containers at land located at 2101 Clearwater Drive and Parcel #13-31-05-000-000-008.001 - CONSIDERATION**
 - C. Mechanic Street Overlay District Boundaries - PUBLIC HEARING**
 - D. Mechanic Street Overlay District Boundaries - CONSIDERATION**
- 4. Discussion Items**
- 5. Adjourn**

Posted on City Hall Bulletin Board this 10th day of April, 2025.

Daniel Barnett, City Clerk



**MINUTES
CITY OF HARRISONVILLE
PLANNING AND ZONING COMMISSION
REGULAR MEETING
CITY HALL
MARCH 20, 2025
6:00 PM**

1. Call to Order

A. Roll Call

Present: Kevin Wood, Chris Chiodini, Scott Milner, Cheryl Bush, Joe Parkhurst, Brian Pulliam, Mike Zaring, Milton Siegenthaler

Others Present: John Southard, Applicant; Aaron Aurand, Applicant's Representation; Jerry and Angela Shingleton, Residents; Jayson and Regina Hastings, Residents; Dennis Fernandes, Resident; Linda Withem, Resident; James Hern, Resident; Adam and Jenny Claxton, Residents; Brad and Casey Arnold, Resident; Bruce Johnson, Resident; Christina Stanton, Community Development Director; and Jamie Martin, Recording Secretary.

2. Approval of Minutes

A. Minutes from the January 16, 2025, meeting.

RESULT:

MOVER: Chris Chiodini

SECONDER: Scott Milner

AYES: Kevin Wood, Chris Chiodini, Scott Milner, Cheryl Bush, Joe Parkhurst, Brian Pulliam, Mike Zaring, Milton Siegenthaler

EXCUSED:

3. Agenda Items

A. Appl. #RZ-25-001 – A REZONING from Agriculture (A) District to Single-Family Residential (R-1) District for 32.88-acres of Land Located South of Matt Street in the Existing *East Elm Estates* Subdivision, East of the *Meadow View* Subdivision, and West of *The Villas of Eastern Hills* Subdivision - PUBLIC HEARING

Director Stanton presented the Staff Report. The applicant is seeking approval of a request to Rezone 32.88-acres of land located south of Matt Street in the existing East Elm Estates

subdivision, east of the Meadow View subdivision, and west of The Villas of Eastern Hills subdivision, from Agriculture (A) District to Single-Family Residential (R-1) District to allow for the land to be subdivided into single-family residential lots.

Director Stanton told the Commission to note that the "Previous Actions" section of the staff report is not in its normal bulleted format. This is due to the complex and somewhat messy history of the land in this area. For example, some boxes contain question marks because there should have been some action, but after searching 3 to 4 boxes of Board of Aldermen packets and minutes, staff could not find that there was action by the Board on these items. She said it is important to note that this property was annexed into the City on April 8, 1988, by Ordinance #2968. Additionally, including this application, the applicant has made application five times since 2002 to rezone some portion of this property.

The City's 2040 Comprehensive Plan shows this area as a "Suburban Neighborhood". According to page 36 of the Comprehensive Plan, "Suburban Neighborhoods are residential areas established around an interconnected, curvilinear street network." Single-family housing is identified as the predominant housing type in this place type. Additionally, it should be noted that this area has been shown as single-family/low density residential since at least the 1990 Comprehensive Plan.

Section 405.630.D.1 lists review criteria a-q that may be considered, to the extent they are pertinent to the particular application, by both the Planning and Zoning Commission and the Board of Aldermen. Some of the criteria considered within the Staff Report include:

- Criterion c: The extent to which the proposed use facilitates the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. The development is providing the necessary public improvements- streets, sidewalks, water and sewer lines- to provide for the proposed residences. Additionally, the school district does not have any concerns with the proposed development in this area.
- Criterion e: The length of time, if any, the property has remained vacant. This property was annexed into the City in 1988 and has remained undeveloped since.
- Criterion f: The extent to which the proposed use will seriously injure the appropriate use of, or detrimentally affect neighboring property. Staff contends that the development of this property as single-family residential will not seriously injure the appropriate use of, or detrimentally affect neighboring properties as this property has been shown to be developed as single-family/low density residential since the 1990 Comprehensive Plan.
- Criterion g: The extent to which the proposed use will adversely affect the capacity of or safety of the portions of the street network impacted by the use, or present parking problems in the vicinity of the property. The proposed Rezoning will allow for the 32.88-acres to be platted and developed for single-family residential. The accompanying plat is proposed to connect to the existing street network, which will improve the overall connectivity and circulation of the area more so over time as additional phases are platted. It is not anticipated that the proposed use will negatively affect the values of the property or neighboring properties in the area.
- Criterion m: The extent to which public facilities and services are adequate to meet the demand for facilities and services generated by the proposed use. The question of whether our public facilities and services are adequate to meet the demand generated by the proposed use was brought to Public Works and no concerns were raised. At this point, staff does not see any issues with the existing system meeting the needs of the

proposed development with the required public improvements that are part of the proposed development in this phase. However, additional review will be completed with future phases.

Director Stanton said that it should be noted that staff did receive an email and letter of concern, which is in the packet, and another email was received this morning and will be included in the Board of Aldermen packet.

The email read: To whom it may concern, We live at 2618 Meadowlark Dr. My concerns are given the increase in elevation to our East and the small lot sizes that are proposed next to us I question if there will be enough room to adequately manage stormwater generated from new structures and impervious surfaces. It will be very important to adequately plan stormwater management so my my house and my neighbors don't end up dealing with unintended consequences of the proposed development. Currently, there is somewhat of a berm that diverts water from the field to the city street. Without proper planning on the front end, this berm will be harder to maintain in the future. As it is today the berm becomes overloaded during large rain events and floods our yard and our neighbor to the North at 2619 Duncan Cr. (See attached sketch showing area of concern in red) (*Director Stanton passed the sketch to the Commissioners.) Additionally, the maps I saw do not account for overhead power lines that run in this same area East of our house. North to South. I would think there would need to be consideration given for easement access to overhead utilities as well. (See attached sketch showing area of concern in red) It is my goal to maintain my property value as Harrisonville grows. I would strongly disapprove of any rental properties in this development. Kind Regards, Brad and Casey Arnold.

Director Stanton said that Staff recommend approval of the proposed Rezoning of 32.88-acres from Agriculture (A) District to Single-Family Residential (R-1) District with the following conditions: 1. Sidewalks shall have handicapped access at all intersections in accordance with Section 410.530.B and shall normally be separated from the edge of the street by a grassy strip twenty-four inches wide. Sidewalks shall comply with the ADA requirements in place at the time of construction, and all non-paved right-of-way shall be either sodded or seeded; and 2. A Final Plat shall be submitted, reviewed, and approved prior to the issuance of any development-related (building or infrastructure) permits.

Aaron Aurand, Representation for John and Diane Southard Living Trust, asked the Commission to consider approval of the Rezoning of the 32.88 acres.

Chris Chiodini asked why the applicant had submitted the rezoning five times. Mr. Southard said there had been ongoing litigation between the City and Water District 9. Mr. Chiodini asked if the area was served by the City or the Water District. Mr. Southard said all of the area to be rezoned is served by Water District 9. He said with the previous applications he was told to stop building.

Kevin Wood said that he was the Mayor at that time and that Water District 9 wanted to serve the area but did not want to meet the City standards for fire flow.

Brian Pulliam asked if there would be appropriate culverts for water drainage. Mr. Aurand said that they will have to comply with the City Code.

With no other questions from the public, the Public Hearing was closed at 6:15 PM.

B. Appl. #RZ-25-001 – A REZONING from Agriculture (A) District to Single-Family Residential (R-1) District for 32.88-acres of Land Located South of Matt Street in the Existing *East Elm Estates* Subdivision, East of the *Meadow View* Subdivision, and West of *The Villas of Eastern Hills* Subdivision - CONSIDERATION

RESULT:

MOVER: Chris Chiodini

SECONDER: Brian Pulliam

AYES: Kevin Wood, Chris Chiodini, Scott Milner, Cheryl Bush, Joe Parkhurst, Brian Pulliam, Mike Zaring, Milton Siegenthaler

EXCUSED:

C. Appl. #PP-25-001—A PRELIMINARY PLAT for *East Elm Estates, Lots 78-87* Located South of Matt Street in the Existing *East Elm Estates* Subdivision and West of *The Villas of Eastern Hills* Subdivision - PUBLIC HEARING

Director Stanton presented the Staff Report for the Preliminary Plat of East Elm Estates, Lots 78-87. The applicant is seeking approval of the Preliminary Plat of East Elm Estates, Lots 78-87. The proposed preliminary plat consists of 10 lots with sidewalks proposed for both sides of all streets as required by code. The applicant is proposing to connect to Quail Street to the east and Amy Street to the north, with east-west extensions shown for future connections as were part of the overall development plan from 2002.

As stated, the proposed preliminary plat does show sidewalks on both sides of all streets as required by Code. All easements are being provided. Additionally, Section 410.630 of the City's Municipal Code provides criteria for dedication of park sites and cash-in-lieu payments. The Parks & Recreation Department's preference is for the applicant to provide the cash-in-lieu payment due to the smaller size of the development. The calculation is detailed in the staff report. The amount is payable prior to final plat approval.

Staff recommended approval of the requested Preliminary Plat with the following conditions: 1. Sidewalks shall have handicapped access at all intersections in accordance with Section 410.530.B and shall normally be separated from the edge of the street by a grassy strip twenty-four (24) inches wide. Sidewalks shall comply with the ADA requirements in place at the time of construction, and all non-paved right-of-way shall be either sodded or seeded. 2. A Final Plat shall be submitted, reviewed, and approved prior to the issuance of any development related (building or infrastructure) permits. and 3. The cash-in-lieu payment for parkland shall be payable as a condition of Final Plat approval per Section 410.630.C. Chris Chiodini referenced the letter that was submitted by the resident in Eastern Hills and asked if there was an east-west sub-street planned for the street network. Director Stanton said she believed there was forethought reflected in the 2002 conceptual plan for the street and a 30 to 50-foot strip as a buffer between the Eastern Hills subdivision.

Kevin Wood said that pedestrian traffic is not the only concern, firetrucks and public safety are all part of the planning process.

Aaron Aurand spoke to the Commission. He told the Commission that the preliminary plat consists of 10 lots allowing for the south extension of Amy Street and Quail Street to the east and west. This will allow for connectivity to the street network. He said that the size of lots are consistent with the rest of East Elm Estates and that single family fits with the surrounding

neighborhoods. He also said that Mr. Southard intends to build the houses himself. With no other questions from the public, the Public Hearing was closed at 6:23 PM.

D. Appl. #PP-25-001—A PRELIMINARY PLAT for *East Elm Estates, Lots 78-87* Located South of Matt Street in the Existing *East Elm Estates* Subdivision and West of *The Villas of Eastern Hills* Subdivision - CONSIDERATION

Chris Chiodini made a motion to recommend approval of the preliminary plat to the Board of Aldermen with Staff's conditions. Scott Milner seconded. The motion passed unanimously.

4. Discussion Items

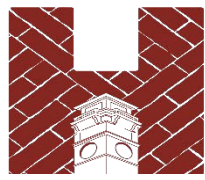
Director Stanton told the Commission that there will be two Agenda Items at the meeting in April. One is a Special Use Permit application and the other item is the Mechanic Street Overlay District Boundary.

5. Adjourn

With nothing further to come before the Commission, Chris Chiodini made a motion to adjourn. Mayor Zaring seconded. The meeting was adjourned at 6:25 PM.

Respectfully Submitted:

Jamie Martin, Recording Secretary



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

300 E. Pearl Street, P.O. Box 367 • Tel: 816-380-8900 • Fax: 816-380-8906 • Harrisonville, MO 64701

To: Planning and Zoning Commission

From: Christina Stanton, AICP, Community Development Director

Date: April 17, 2025

Re: Appl. #SUP-25-001—SPECIAL USE PERMIT for outdoor storage of empty and unused roll-off containers at land located at 2101 Clearwater Drive and Parcel #13-31-05-000-000-008.001

GENERAL INFORMATION

Applicant: Chris Lilley

Requested Actions: Approval of Special Use Permit

Date of Application: March 17, 2025

PROPOSAL

Mr. Chris Lilley, with Sunshine Disposal, is seeking approval of the attached Special Use Permit for outdoor storage of empty and unused roll-off containers on land located at 2101 Clearwater Drive and Parcel #13-31-05-000-000-008.001 (see attached Zoning and Aerial Maps).

Please see the attached maps and aerial photos.

The surrounding properties are currently zoned as follows:

North: Light Industrial (M-1) District—J's Southland Tow

West (across Clearwater Drive): Light Industrial (M-1) District—Vista Productions, Inc.

South: Light Industrial (M-1) District—B&H Freight

East (across Railroad Right-of-Way): Light Industrial (M-1) District—Vacant undeveloped industrial property

PREVIOUS ACTIONS

- January 19, 1966—The Board of Aldermen approved Ordinance #666 establishing regulations pertaining to the maintenance of sanitary conditions on public and private premises and the collection and disposal of garbage and refuse and the licensing and regulation of those engaged in the business of collecting and disposing of garbage and refuse.
- August 6, 1969—The Board of Aldermen approved Ordinance #833, which annexed several tracts of land including a tract of which this property was a portion thereof.
- 1995—According to the Cass County parcel data the building was constructed at this time.
- It appears that these properties have been utilized for outside storage since at least 2003.
- August 1, 2016—The Board of Aldermen approved Ordinance #3371 amending Sections 405.490 and 405.495 of the Zoning Regulations regarding the performance standards and height regulations within the M-1 Light Industrial District. More specifically, this amendment established the current day Section 405.495.B language.

- September 6, 2022—The Board of Aldermen approved Ordinance #3601, which amended the Code to provide staff the ability to look at multi-family properties and decide how to best serve both the property owners/occupants and the City/citizens as a whole.
- October 17, 2022—The Board of Aldermen approved Ordinance #3607, which established the current Section 240.050.G and H that provides for an administrative variance process.
- February 26, 2025—A Code Compliance letter was sent out on this date by Code Enforcement regarding the unscreened roll-off containers on 2101 Clearwater Drive (#ENCLOSURE-25-0001). Additionally, a Code Compliance letter was sent out this date by Code Enforcement regarding the storage of dumpsters on the vacant lot (Parcel #13-31-05-000-000-008.001)—no secondary use is permitted without a primary use in place (Section 405.550; case #ZN-25-0001).

KEY ISSUES

- It appears that these properties have been utilized for outside storage since at least 2003.
- Section 240.050.G was established in 2022 and became effective October 17, 2024.
- Our Codes Enforcement Officer has been working with the property owner to bring the properties into compliance.

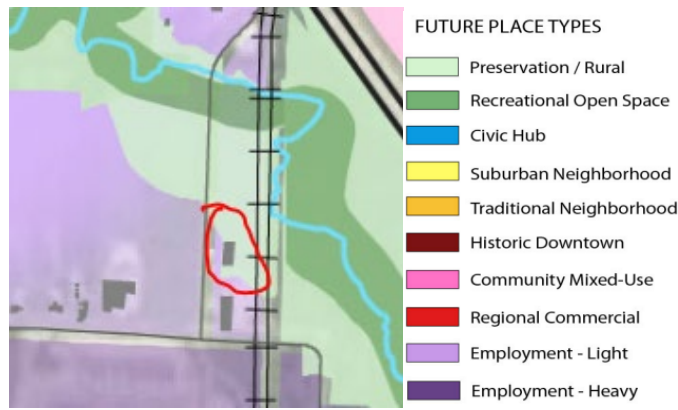
ANALYSIS

Zoning/Use. The properties are currently zoned Light Industrial (M-1) District. According to the Land Use Table the uses of a “Contractor’s shop and/or yard (including construction equipment and/or materials storage areas)” and “Storage of boat, recreational vehicles, and/or any other vehicle” are allowed uses in this District with an approved Special Use Permit (SUP), while these are not the exact same use the storage is similar. Additionally, Section 405.030 defines:

- “Outdoor Storage” as “the keeping in an unroofed, open area of any goods, junk, material, merchandise or vehicles in the same place for more than twenty-four (24) hours”;
- “Use, Permitted” as “Any building, structure or use which, on the effective date of this Chapter, complies with the applicable regulations governing permitted uses of the zoning district in which such building, structure or use is located”

A Code Compliance letter was sent out on February 26, 2025, which referenced Section 240.050.G—Screening, Containers for Garbage/Refuse. Subpart 2 states: “Within 2 (two) years of the adoption/enactment of this Section 240.050, Subsection (G), all existing multi-family residential projects’ and all non-residential projects’ garbage/trash receptacles, containers, or compactors, and grease recycling collectors, of any size, visible from a public thoroughfare must be screened from view of the public way or thoroughfare. The screen is to be a wall, solid fence, or natural barrier of a minimum of six (6) feet in height, on any side of the collection area which may be visible from a public way or thoroughfare adjacent to the collection area...Chain link and slat screening is only allowed in “M-1” and “M-2” zoning. The screen must be opaque.”

Comprehensive Plan. The City’s 2040 Comprehensive Plan shows the western area as “Employment-Light” and “Preservation/Rural”. According to page 34 of the City’s 2040 Comprehensive Plan “The Preservation /Rural place type represents area in Harrisonville that are not expected to substantially develop...over then next 20 years. These area may include environmentally sensitive areas, such as floodways and woodlands.” Whereas, “the Light Employment areas are intended to support employment formats that are not appropriately integrated into a downtown or mixed-use setting, such as office parks, institutional campuses, or light manufacturing hubs in the community” (page 46 of the City’s 2040 Comprehensive Plan).



It is important to note that a Special Use Permit (SU-19-003) was approved on August 5, 2019, for a solid waste transfer station at 2901 Brickplant Road (now 2701) for 10 years.

While staff does not want to see the storage of these roll-off containers or similar structures unscreened staff is understanding of the request to allow additional time for the site improvements to occur. However, since staff does not want to encourage prolonged periods of Code not being met and the use is similar to that of contractor’s yards and vehicle storage staff deems it appropriate to recommend a short-term Special Use Permit to allow the use to continue while site improvements are being made for the required fencing to be installed.

In support of the proposed Special Use Permit:

- The property owner is attempting to come into compliance with the Zoning Regulations.
- These properties have been utilized for outdoor storage since at least 2003.
- There are similar, or compatible, uses in the immediate area.

STAFF RECOMMENDATION

Staff recommends *approval* of the requested Special Use Permit with the following conditions:

1. The applicant shall install the required screening once the land disturbing activities have been completed and settling has occurred.
2. The time limit associated with this Special Use Permit shall be 5 years, at which time a new Special Use Permit is required to continue without the required screening being in place.

ATTACHMENTS

- Application
- Google Earth Timeline Images
- 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): CHRIS LILLEY **Signature:**

Company Name: SUNSHINE DISPOSAL

Street Address: 2101 Clearwater Dr. **City:** Harrisonville **State:** MO **Zip:** 64701

Phone: 816-380-5800 **Email:** chris@sunshinedisposal.net

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

Property Owner Name (print): Dale Atkinson **Signature:**

Street Address: 2101 Clearwater Dr. **City:** Harrisonville **State:** MO **Zip:** 64701

Phone: (602) 321-2451 **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: 2101 Clearwater Dr. HV MO

Project Description: North Lot Improvements (13-31-05-000-000-008.001)

Acres or Sq. Ft. 5 Ac.

Current Zoning: M-1 **Proposed Zoning:** M-1 No change on zoning

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 ½" 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: SUP 25-001 **Filing Fee: Amount Paid \$** 365.00 **Date Application Received:** 3/17/25

Staff-only approval: _____ **P&Z meeting:** 4/17/25 **BOA Meeting:** 4/21/25



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

LAND USE – ZONING APPLICATION

Resources

City Website	www.harrisonville.com
Zoning Map	https://www.harrisonville.com/DocumentCenter/View/9508/Zoning-Final-Draft?bidID=
Zoning Regulations	https://www.unicode.com/27908265
Subdivision Regulations	https://www.unicode.com/27909481
Cass County GIS Map	https://cassgis.integritygis.com/h5/index.html?viewer=cass

Contacts

City Hall, 300 E. Pearl St, Harrisonville, MO 64701	816-380-8900	
John Morris, Building Official	816-380-8917	jmorris@harrisonville.com
Christina Stanton, AICP, Community Development Director	816-380-8922	cstanton@harrisonville.com
Jamie Martin, Office Administrator	816-380-8958	jmartin@harrisonville.com
Public Works Department, 201 W. Chestnut, Harrisonville, MO 64701	816-380-8964	
Carl Brooks, P.E., CFM, Public Works Director		cbrooks@harrisonville.com
Ted Martin, P.E., CFM, City Engineer		tmartin@harrisonville.com

3/17/2025

Property Improvement Plan Description

To Whom It May Concern:

The lot located at 2101 Clearwater Dr. and land to the north are currently in the process of being improved. 100's of tons of dirt are being brought in to level the lot to make the lot more useable. There are currently plans for a fence at some point, but it would not make sense to install the fence while the dirt work is still settling. Once the dirt settles and any additional fill is added and final grading is completed, the intent is to add a fence.

Sunshine Disposal, a local family-owned small business, is currently operating out of this space and has been for the past 25+ years. We haul commercial and residential debris using our roll-off containers. These lots are simply being used to store empty and unused containers until they are rented out and placed into service. Inventory at this location ranges from 1 – 10 typically depending on the season and current demand. We take pride in keeping our lots neat and tidy.

It is also our understanding that other special use permits have been given to similar businesses in the same corridor, and we are just asking to be treated in a similar fashion.

Thank you in advance for your consideration in the matter.

Google Earth 1996:



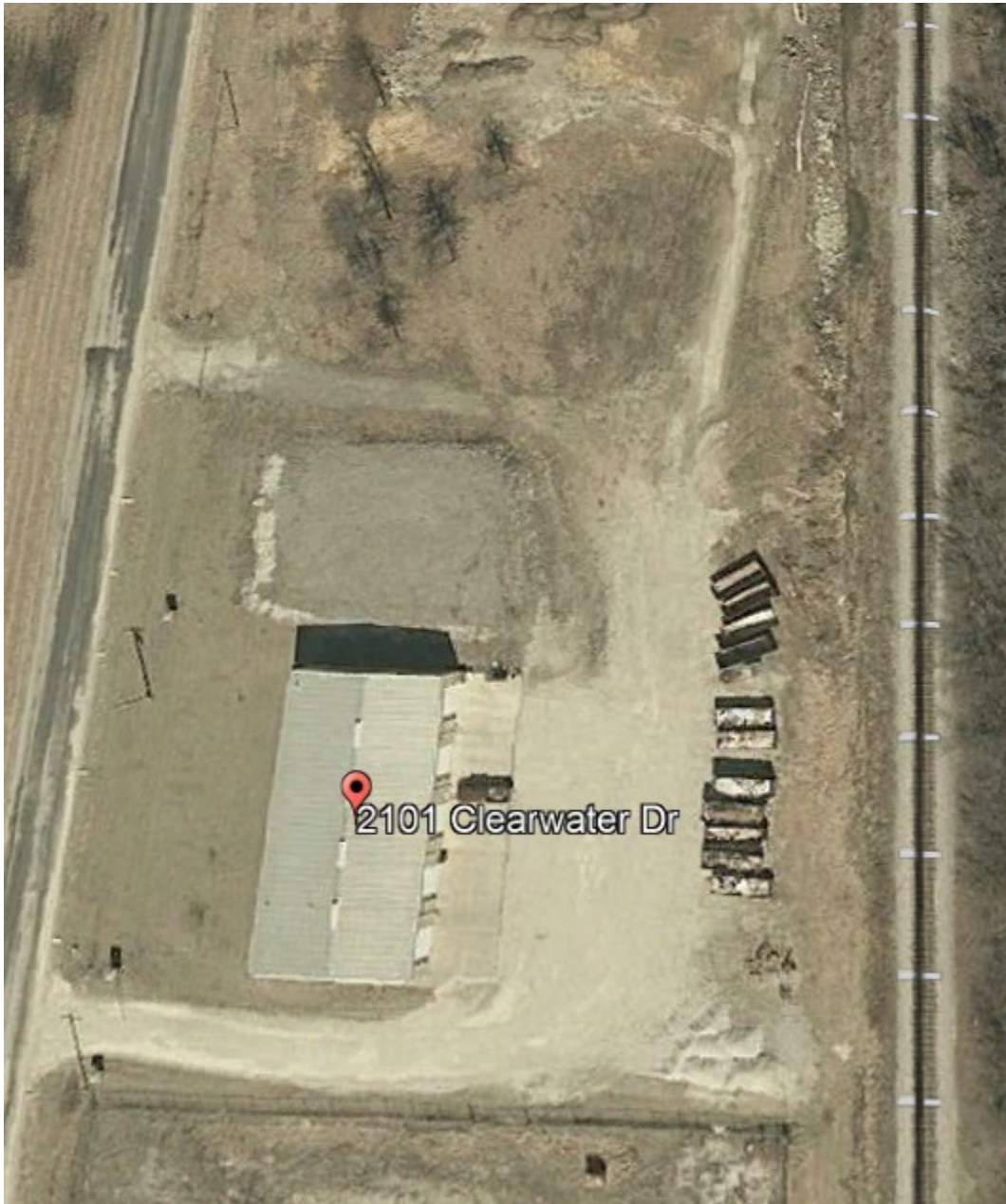
Google Earth 2003:



Google Earth 2006:



Google Earth 2008:



Google Earth 2009:







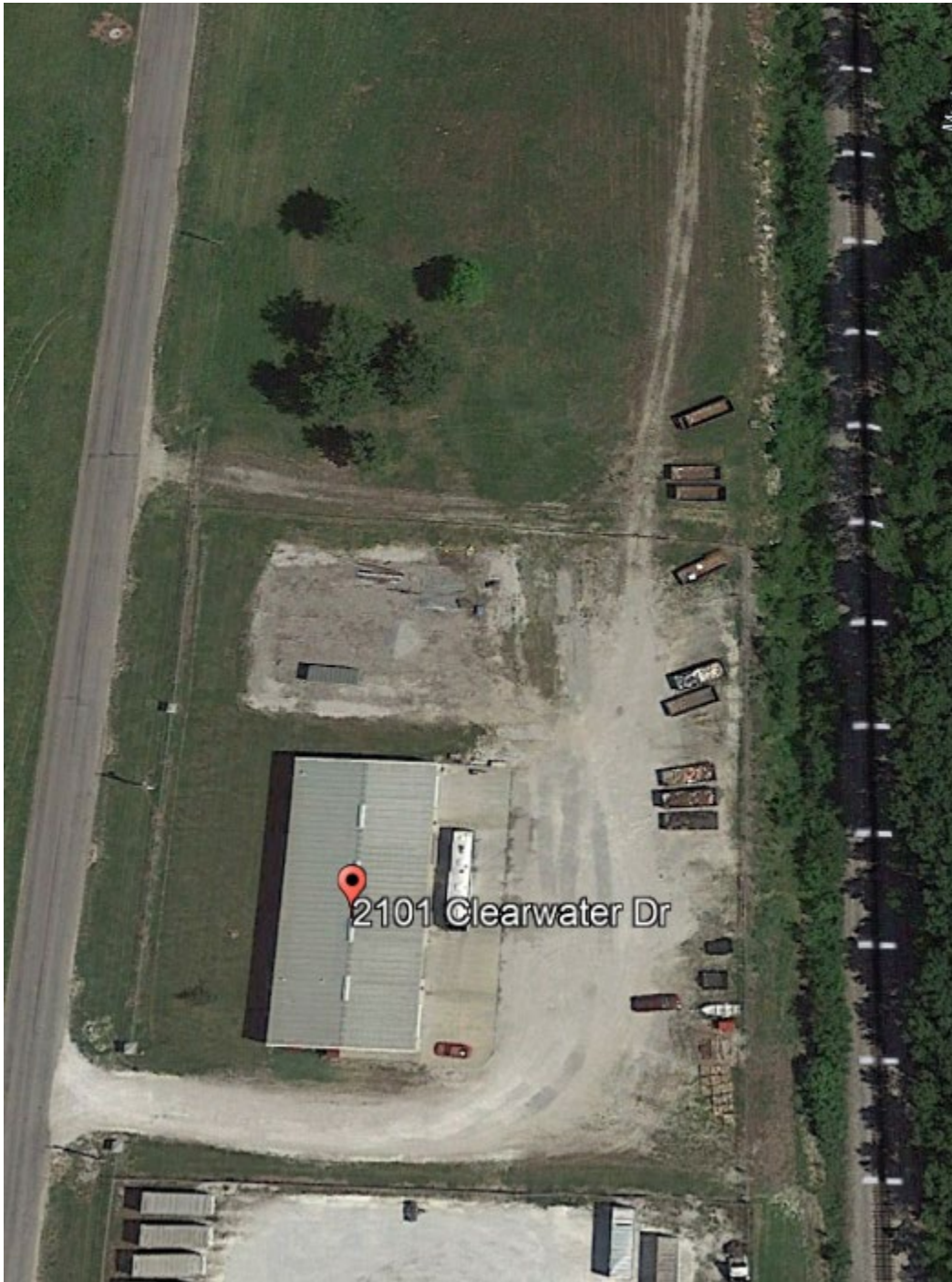














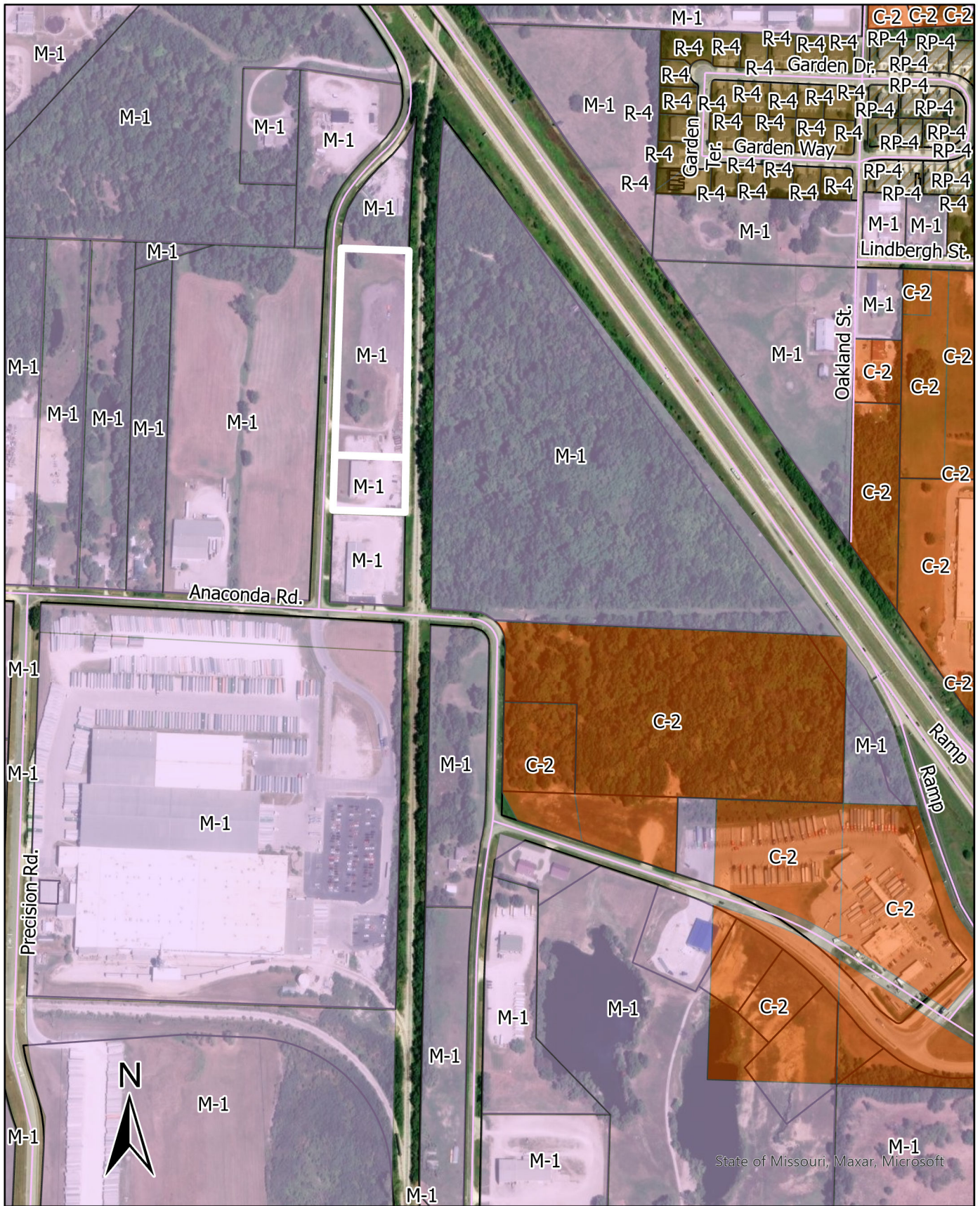








Zoning Map



0 362.5 725 1,450 US Feet

Aerial Map



Precision Rd.

Anaconda Rd.

N

State of Missouri, Maxar, Microsoft

0 230 460 920 US Feet



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

300 E. Pearl Street, P.O. Box 367 • Tel: 816-380-8900 • Fax: 816-380-8906 • Harrisonville, MO 64701

To: Planning and Zoning Commission
From: Christina Stanton, AICP, Community Development Director
Date: April 17, 2025
Re: Mechanic Street Overlay District Boundaries

GENERAL INFORMATION

Applicant: City of Harrisonville

Requested Actions: Approval of Requested Boundaries for Mechanic Street Overlay District

Date of Application: N/A

PROPOSAL

A recent inquiry for a potential commercial development prompted staff to look into the Mechanic Street Overlay District. After researching the history of the Mechanic Street Overlay District Regulations that were approved on December 5, 2011, staff realized that the Mechanic Street District Boundaries were never formally adopted. The Regulations that were established in 2011 are not being changed. This is only to formally adopt the boundaries over the residential portions along Mechanic Street as originally intended. The Mechanic Street Overlay provides requirements for the residential properties to be converted to limited commercial uses while maintaining a residential aesthetic.

Please see the attached zoning and aerial maps.

PREVIOUS ACTIONS

- **June 17, 2010**--The Planning & Zoning Commission discussed Original Harrisonville and how they wanted to go forward with amending the Zoning Ordinance and adopting design guidelines.
- **January 20, 2011**--Staff informed the Planning & Zoning Commission that direction had been provided to not proceed with the original Harrisonville Plan and to go directly to writing the ordinance. Additionally, it should be noted: "Mr. Chiodini asked if the square properties would need to comply as well. Mr. DeLuca said they would not because they are not residential structures, so the square wouldn't be in this district."
- **February 17, 2011**--The Planning & Zoning Commission expressed that they wanted to do the original Harrisonville Zoning amendments and design guidelines in phases. It was decided to start with Mechanic Street, then once completed they would move on to another area in original Harrisonville. Additionally, it should be noted: "Walter Bruens asked about the areas where it is already mostly businesses. Mr. DeLuca said he would put some text together that excludes the areas that are zoned CBD-1 and CBD-2, because businesses are already allowed there."
- **September 15, 2011**--The Planning & Zoning Commission held a Public Hearing on the Code Amendments to establish the Mechanic Street Overlay District and associated design guidelines. The Code Amendments were recommended to the Board of Aldermen for approval. The staff

report stated that the "actual establishment of the boundaries of the overlay would occur after establishment of the district".

- November 21, 2011--The Board of Aldermen held a Public Hearing on the Code Amendments to establish the Mechanic Street Overlay District and associated design guidelines. The Ordinance for the Code Amendment and the Resolution for the Design Guidelines were continued to the next meeting, December 5, 2011. The staff report stated that the proposal would "amend the zoning ordinance, but would NOT establish the boundaries of the overlay district. If the Board approved the ordinance and design guidelines, then staff would have a legal description compiled and the zoning district overlay amendment would be presented to the Planning and Zoning Commission and the Board of Aldermen."
- December 5, 2011--The Board of Aldermen changed the minimum lot width from 50' to 45' and approved the Code Amendment by Ordinance #3197 and adopted the Design Guidelines by Resolution #050-11.
- January 3, 2012--The Board of Aldermen discussed options presented to them by Mr. DeLuca for how to proceed in addressing the Original Harrisonville. "The consensus of the Board was to schedule three Neighborhood meetings in which the Planning and Zoning Commission would attend and then rezone the entire original Harrisonville at once."
- January 19, 2012--Mr. DeLuca shared with the Planning & Zoning Commission that the Board of Aldermen had directed staff to move forward with doing the entire Original Harrisonville at one time. Mayor Wood stated that staff was directed to do it all at once because of the notification process and the overlapping or letters to be sent out.
- October 22, 2021--MSOD (Mechanic Street Overlay District) layer was created in GIS.
- August 29, 2022--MSOD layer was updated.

KEY ISSUES

- The boundaries for the Mechanic Street Overlay District (MSOD) were never formally adopted.
- The regulations, which were approved in 2011, were not intended to be applied to the commercially zoned properties.

ANALYSIS

Mechanic Street Overlay District Regulations. The Mechanic Street Overlay District Regulations were specifically written to address residentially zoned properties that front on Mechanic Street within the boundaries of the Original Town of Harrisonville to allow for limited commercial uses and the retention of the residential appearance.

Rezoning Criteria. Section 405.630.D.1 list review criteria a-q as that may be considered, to the extent they are pertinent to the particular application, by both the Planning & Zoning Commission and the Board of Aldermen. The establishment of the Overlay District boundaries are similar to establishing a zoning district and have their own set of regulations that sit on top of the standard zoning district for each property that they are applied to. These review criteria are normally reviewed with an application for rezoning.

STAFF RECOMMENDATION

Staff recommends approval of the proposed Mechanic Street Overlay District boundaries as shown on the attached Zoning Map.

ATTACHMENTS

Mechanic Street Overlay District Regulations
Section 405.630.D
Zoning Map
Aerial Map

Chapter 405. Zoning Regulations

ARTICLE XXV. Mechanic Street Overlay District

Section 405.650. Statement of Intent.

[Ord. No. 3197 §1, 12-5-2011]

The purpose of this overlay district designation is to encourage development that will be an asset to Harrisonville. This corridor represents a gateway into Harrisonville and, as such, gives a "first impression" of the City for visitors and residents. Therefore, it is important that this area be attractive and functional. Mechanic Street is much more visible and is adjacent to higher traffic counts than most residential areas. Therefore, it shall be developed with a mix of residential and light commercial uses. The intent of this overlay is to allow certain light commercial uses, while keeping the overall residential feel to the corridor. Mixed uses, both residential and non-residential, are encouraged in this overlay district.

Section 405.655. West Mechanic Corridor Overlay District Designated.

[Ord. No. 3197 §1, 12-5-2011]

The Mechanic Street Corridor Overlay District shall generally include the area along Mechanic Street in the original part of Harrisonville. The geographic boundaries shall be established within the ordinance that outlines the geographic boundaries of said overlay district. In the event that a question arises concerning the application of this Chapter to a particular property, the Director of Community Development shall make a determination about the applicability. The Director of Community Development's interpretation may be appealed to the Planning and Zoning Commission.

Section 405.660. Permitted Uses.

[Ord. No. 3197 §1, 12-5-2011; Ord. No. 3616, 11-21-2022]

In the Mechanic Street Corridor Overlay District, no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered except those uses identified as "P" for permitted in the Land Use Table in Appendix A.^[1]

[1] *Appendix A, Land Use Table, is included as Attachment 1 of this chapter.*

Section 405.665. Special Approvals.

[Ord. No. 3197 §1, 12-5-2011; Ord. No. 3616, 11-21-2022]

In the Mechanic Street Corridor Overlay District, a building, structure, land or premises may be used, erected, constructed, reconstructed, moved or altered if the applicant obtains written permission from all property owners and/or residents within one-hundred twenty (120) feet of the applicant's property. Provided written permission cannot be obtained from all adjoining property owners and/or residents, the applicant may request a special use permit under the provisions of Section **405.525**, Special Use

Permits. Furthermore, provided written permission has been granted for one (1) of the commercial uses identified as "S*" for special use permit in the Land Use Table in Appendix A,^[1] and a written complaint regarding the commercial use has been filed with the City, the Board of Aldermen, following review of the evidence supporting the complaint, may allow the business to remain on the property, require that the commercial use be removed from the property, or grant conditional approval for the business to stay on the property.

[1] *Appendix A, Land Use Table, is included as Attachment 1 of this chapter.*

Section 405.670. Performance Standards.

[Ord. No. 3197 §1, 12-5-2011]

The following standards shall apply to all structures and properties which are used or proposed to be used for a business within this overlay district:

- A. The standards as outlined in the building code, fire code, storm water regulations and any other applicable City Codes must be adhered to.
- B. No equipment shall be kept on the premises outside a building.
- C. No merchandise shall be handled or displayed except inside buildings.
- D. One (1) unilluminated sign of no more than three (3) square feet may be permitted for a structure with a commercial business. Said sign must be wood and meet the standards outlined in the City sign ordinance.
- E. All lighting used must be arranged to direct light away from surrounding properties and public right-of-way. Furthermore, no glare should be created. The lighting used shall be similar to that of a residential use.
- F. No deliveries shall be made between the hours 6:00 P.M. and 8:00 A.M.

Section 405.675. Parking and Driveway Standards.

[Ord. No. 3197 §1, 12-5-2011]

The following standards shall apply to all structures and properties which are used or proposed to be used for a business within this overlay district:

- A. Five (5) off-street parking spaces in the side or rear yard shall be provided for each one thousand (1,000) square feet of floor area (one (1) space for every two hundred (200) square feet). It is the prospective business' responsibility to provide sufficient parking for its employees and/or customers. Overflow parking shall not be allowed on streets or adjacent private property.
- B. Parking shall be located in the rear portion of the lot behind the primary structure. No parking shall be placed in the front yard.
- C. All parking must be paved with a minimum of two (2) inches of concrete or asphalt. Curbs may not be required in order to maintain the areas residential character.
- D. All parking spaces must be set back a minimum of five (5) feet from the side or rear yard property lines.
- E. Additional access points to Mechanic Street will not be allowed. Access to a proposed business must be off of an alley or other acceptable road. If a structure or property cannot obtain adequate parking or follow appropriate access management standards, the property shall not be used for commercial purposes.

Section 405.680. Height and Area Standards.

[Ord. No. 3197 §1, 12-5-2011]

In the Mechanic Street Corridor Overlay District, the height of buildings, the minimum dimensions of lots and yards, the minimum lot area shall be as follows:

- A. *Height.* Buildings or structures shall not exceed three (3) stories or thirty-five (35) feet in height.
- B. *Front yard.* Front yard setbacks may be reduced from thirty (30) feet to twenty-five (25) feet.
- C. *Side yard.* There shall be a side yard on each side of the building of no less than five (5) feet. Buildings on a corner lot (either street or alley frontage) shall provide a side yard on the street side of not less than fifteen (15) feet.
- D. *Rear yard.* Rear yard setbacks shall be thirty (30) feet in an "R-1" District and twenty (20) feet in an "R-2" District.
- E. *Lot area.* Every structure hereafter erected, moved or altered shall provide a lot area of not less than five thousand (5,000) square feet per family for each one-family dwelling or six thousand (6,000) square feet per family for two-family dwellings.
- F. *Lot width.* The width of the lot shall be no less than forty-five (45) feet.
- G. *Lot depth.* The depth of the lot shall be no less than one hundred (100) feet.
- H. *Building coverage.* The building coverage shall not exceed thirty-five percent (35%).

Section 405.685. Building Demolition.

[Ord. No. 3197 §1, 12-5-2011]

In the Mechanic Street Corridor Overlay District, if an individual wishes to demolish any primary structure within this overlay district, said individual must obtain written permission from all property owners and/or residents within one hundred twenty (120) feet of the applicant's property. Provided written permission cannot be obtained from all adjoining property owners and/or residents, the applicant may request a special use permit under the provisions of Section **405.525**, Special Use Permits for requested demolition. If a building is deemed a dangerous building by the Building Official, said building may be demolished without permission from the surrounding property owners or a special use permit.

Section 405.690. Design Guidelines.

[Ord. No. 3197 §1, 12-5-2011]

Development within the Mechanic Street Corridor Overlay District shall be subject to the design guideline standards for the Original Harrisonville Design Guidelines as adopted.

Chapter 405. Zoning Regulations

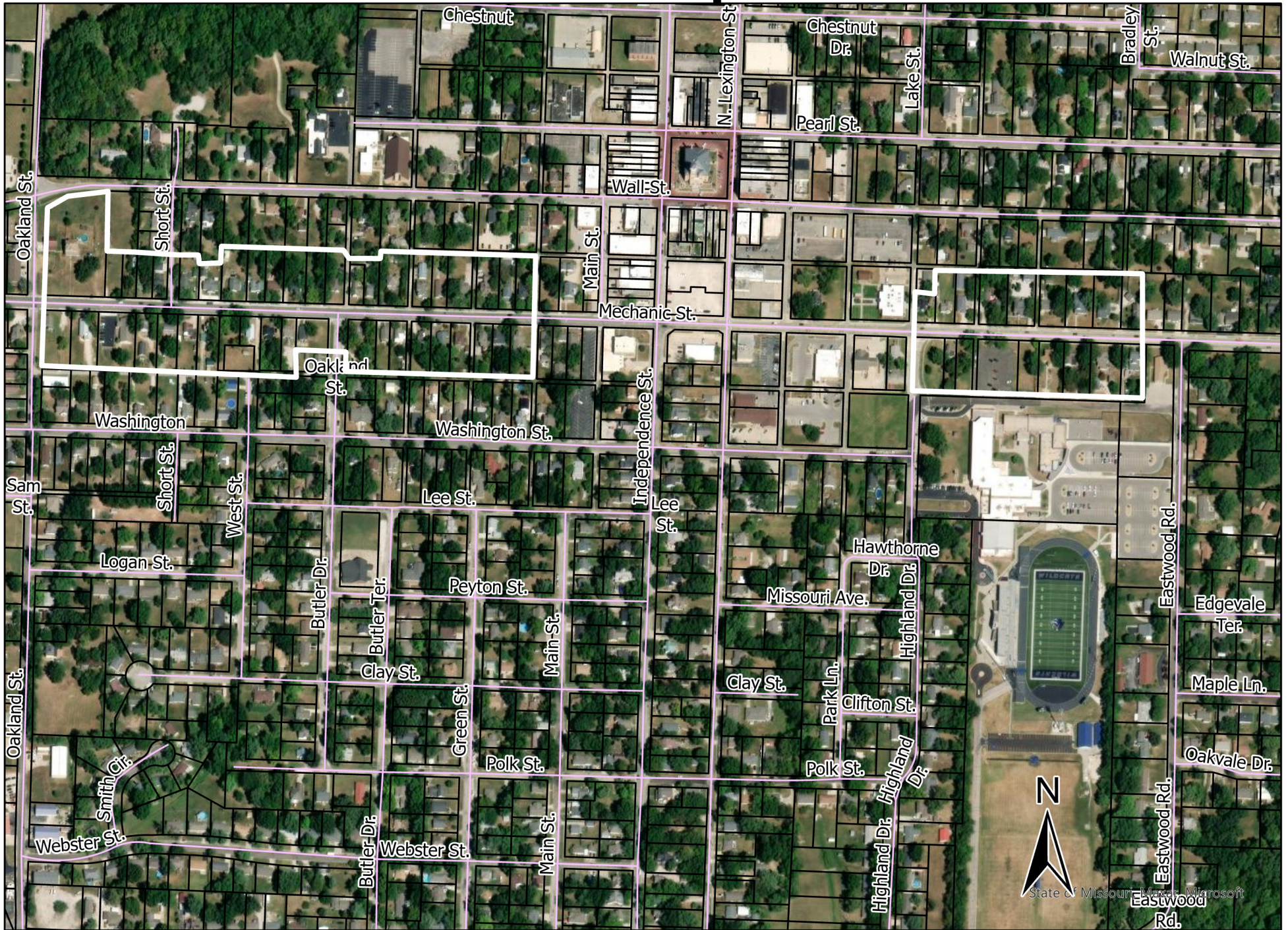
ARTICLE XXIII. Land Use Applications and Procedures

Section 405.630. Generally.

D. Review Criteria.

1. In considering any application for rezoning or special use permit, the Planning and Zoning Commission and Board of Aldermen may give consideration to the criteria stated below, to the extent they are pertinent to the particular application. The Planning and Zoning Commission and Board of Aldermen may also consider other factors that may be relevant to a particular application.
 - a. The character of the neighborhood.
 - b. The existing and any proposed zoning and uses of adjacent properties, and the extent to which the proposed use is compatible with the adjacent zoning and uses.
 - c. The extent to which the proposed use facilitates the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.
 - d. The suitability of the property for the uses to which is has been restricted under the applicable zoning district regulations.
 - e. The length of time, if any, the property has remained vacant as zoned.
 - f. The extent to which the proposed use will seriously injure the appropriate use of, or detrimentally affect, neighboring property.
 - g. The extent to which the proposed use will adversely affect the capacity or safety of the portions of the street network impacted by the use, or present parking problems in the vicinity of the property.
 - h. The extent to which the proposed use will create excessive storm water runoff, air pollution, water pollution, noise pollution or other environmental harm.
 - i. The extent to which the proposed use will negatively affect the values of the property or neighboring properties.
 - j. The extent to which there is a need for the use in the community.
 - k. The economic impact of the proposed use on the community.
 - l. The ability of the applicant to satisfy any requirements applicable to the specific uses imposed pursuant to this Chapter.
 - m. The extent to which public facilities and services are available and adequate to meet the demand for facilities and services generated by the proposed use.
 - n. The gain, if any, to the public health, safety and welfare due to approval of the application as compared to the hardship imposed upon the landowner, if any, as a result of denial of

Aerial Map



0 260 520 1,040 US Feet