



THE CITY OF
HARRISONVILLE
WHERE TRADITION MEETS INNOVATION

MINUTES
CITY OF HARRISONVILLE
PLANNING AND ZONING COMMISSION
REGULAR MEETING
CITY HALL
MAY 15, 2025
6:00 PM

1. Call to Order

A. Roll Call

Present: Chris Chiodini, Scott Milner, Cheryl Bush, Joe Parkhurst, Mayor Zaring, Milton Siegenthaler

Also in attendance were Tim Atkins, Engineering Solutions, Applicant; Clint Miller, Applicant; Alysse Pope, Clark & Enersen, Applicant; Joseph Dulle, Navigate Building Solutions; Allison Wonder, Clark & Enersen, Applicant; William and Shauna Pritchett, Residents; Ivan Beeman, Business Owner; Joseph and Erin McGhee, Residents; Adam Brill, Resident; Tom Actkinson, Resident; Carol Nicholls, Resident; Bing Schimmelpfenning, Resident; Rev. Asher McDaniel, Resident; Seth Brown, Resident; Christine and Bob Benson; Jon and Megan Brasel; Anthony Ackerman, Property Owner; Steven Maldonado, Resident; Roy and Janette Sackman, Residents; John Southard, Resident; Christina Stanton, Community Development Director; and Jamie Martin, Recording Secretary.

2. Approval of Minutes

A. Minutes from the April 17, 2025, meeting.

RESULT: Passed
MOVER: Scott Milner
SECONDER: Joe Parkhurst
AYES: Scott Milner, Cheryl Bush, Joe Parkhurst, Mayor Zaring, Milton Siegenthaler
ABSTAINED: Chris Chiodini

With no additions or corrections, the minutes from the April 17, 2025, meeting were accepted as written.

3. Agenda Items

A. Appl. #RZ-25-002 – A REZONING from General Industrial (M-2) District to Single-Family Residential (R-1) District for 1.5-acres located at 403 Locust Street

- PUBLIC HEARING

Director Stanton presented the Staff Report for Rezoning Application 25-002. The applicants are seeking approval of a request to Rezone 1.5-acres from General Industrial (M-2) to Single-Family Residential (R-1) District to allow for another single-family house to be constructed and the property to be split. The property is currently used as single-family residential as is the property located immediately to the west.

She said the previous actions include:

- January 1, 1912- Dutro's Addition is recorded with the Cass County Recorder's Office as part of the Harrisonville Original Town 1912 plat.
- 1944- According to the Cass County's parcel data, the existing house and several shed/yard structures were built.
- September 20, 1978- The Board of Aldermen approved Zoning Ordinance #1194, which established this area as General Industry (M-2) District.
- March 7, 2019- A building permit was issued for a 40' x 44' steel shop building. April 15, 2019- The Board of Aldermen approved an ordinance (#3464) vacating unused and unimproved Oak Street right-of-way, Buckeye Street right-of-way and an alley remnant, all at 403 Locust Street.

Director Stanton said that under the Analysis Section:

- The proposed Zoning sub-section briefly compares the dimensional standards for the M-2 and R-1 Zoning Districts.
- In the Comprehensive Plan sub-section the area is identified as "Community Mixed-Use". The first "Key Priority" for this use type is supportive of the proposed rezoning, it states: "Integration of modernized and revamped residential uses into existing community mixed-use areas."

In the Rezoning Criteria sub-section of the analysis, staff looked at criteria a, b, d, and f.

a. The character of the neighborhood.- The character of the neighborhood includes the residential mixture of the existing 1944 Miller house, the 1946 Knight house, and the 1960 duplex at the corner of Locust Street and Jefferson Parkway; it also includes the daily activities and services of the business in the area such as the Whistle Redi-Mix, MFA Oil, Shelton's contracting business and storage yard, and the dentistry located across Locust Street.

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.- The existing zone is M-2, which is not compatible with the existing residential uses and the proposed additional residential house. The proposed zoning of R-1 is not compatible with the existing industrial and storage-related uses; however, all of the uses are currently co-existing, and the applicants are requesting to rezone to an appropriate district for their existing use and the addition of one more single-family house in a future lot split.

d. The suitability of the property for the uses to which it has been restricted under the applicable zoning district regulations.- Under the General Industrial (M-2) District, single-family residential is not a permitted use. Allowing the proposed rezoning to Single-Family Residential (R-1) District will bring this property more into compliance with the Zoning Regulations and allow for the property owners to be able to split the property and add another single-family

house.

f. The extent to which the proposed use will seriously injure the appropriate use of, or detrimentally affect, neighboring property.- The proposed use of single-family residential will not seriously injure or detrimentally affect the appropriate use of the neighboring property as there are existing single-family residential that have been in place since the 1940's with no known issues or concerns.

Director Stanton said that Staff recommends approval of the proposed Rezoning of 1.5-acres from General Industrial (M-2) District to Single-Family Residential (R-1) District.

Milton Sigenthaler asked if there were any concerns with the industrial businesses that are in the area. Director Stanton said that is not ideal, but the residences have been there since the 40's. Ideally, there would be a buffer in between them.

Chris Chiodini asked Mr. Miller how long he has owned the property. Mr. Miller said about 10 years. Mr. Chiodini asked Mr. Miller how many outbuildings he had. Mr. Miller said 1, he sold one a few years back.

Mr. Chiodini shared his concerns with this request creating another legal non-conforming situation.

Anthony Ackerman asked how many buildings would be built. Mr. Chiodini explained that the request is for a Rezone so that the property owner could split the lot and build a home to sell.

With no other questions or comments, the Public Hearing was closed at 6:17 PM.

B. Appl. #RZ-25-002 – A REZONING from General Industrial (M-2) District to Single-Family Residential (R-1) District for 1.5-acres located at 403 Locust Street - CONSIDERATION

RESULT: Passed
MOVER: Mayor Zaring
SECONDER: Joe Parkhurst
AYES: Chris Chiodini, Scott Milner, Cheryl Bush, Joe Parkhurst, Milton Siegenthaler, Mayor Zaring

Mayor Zaring made a motion to recommend approval of the Rezoning application to the Board of Aldermen. Joe Parkhurst seconded. The motion passed unanimously.

C. Appl. #FP-25-001 – A FINAL PLAT for Cedar Crossing, Lots 1 – 53 & Tract A located south of Parkwood South and north of 267th Street - PUBLIC HEARING

Director Stanton presented the Staff Report for the Final Plat Application for Cedar Crossing, Lots 1–53 and Tract A.

She said that the previous actions include:

- September 19, 2024- The Planning and Zoning Commission voted 5-0 to recommend that the Board of Aldermen approve the requested Rezoning and Preliminary Development Plan, Application RZ/PDP-24-01, with the eight conditions of approval in staff's report.
- October 7, 2024- The Board of Aldermen approved the Preliminary Plat, Application

#PP-24-001, for Cedar Crossing, Lots 1-219 and Tracts A, B, and C by Resolution #2024-26.

- October 7, 2024- The Board of Aldermen approved the requested Rezoning and Preliminary Development Plan, Application #RZ/PDP-24-001, with the eight conditions of approval in staff's report by Ordinance #3711.
- December 2, 2024- The Board of Aldermen approved a Resolution, #2024-31, authorizing the City Administrator to execute a Development Agreement for the Cedar Crossing Development, between JWM Development, LLC and Burkit Development, LLC and the City of Harrisonville.
- March 20, 2025- The Development Agreement for the Cedar Crossing Development was recorded with the Cass County Recorder of Deeds in Book 5151, on Page 92.

Director Stanton said that Key Issues are that the property is zoned Planned Single-Family Residential (RP-1) District. The preliminary plat consisted of 219 lots, 195 single-family lots and 24 duplex lots that will come in a future Final Plat, with sidewalks proposed for both sides of all streets per Code. This proposed Final Plat consists of 27 lots being located in the northern portion and 26 lots located in the southern portion connected by the road over the dam as was previously planned by City Staff. She said the proposed layout is fairly consistent with that of the previously approved Preliminary Plat. The City's 2040 Comprehensive Plan shows the property and surrounding area as "Suburban Neighborhood", which allows for a mix of housing types with an emphasis on having "high interconnectivity of new and established neighborhoods".

Under the Analysis Section:

- Sidewalks/Trails - The developers have expressed, multiple times, an interest in providing trails as requested but have a reluctance to specify the details- when, where, and to what extent.
- Cash-in-lieu Payment for Parkland - This was part of the discussion during the Preliminary Plat. The developers had agreed to take-over maintenance of the parkland previously provided to the City for the parkland known as Hite Park in exchange for the Cash-in-lieu Payment for Parkland being waived. Language regarding this exchange was included within the approved and recorded Development Agreement. Staff will continue to follow-up with legal and the developers to make sure the land transfer is completed.
- Comprehensive Plan- The area is identified as "Suburban Neighborhood" in the City's 2040 Comprehensive Plan. This place type includes "residential areas established around an interconnected, curvilinear street network". Several "Key Priorities" are important to this development such as the modern housing types that are to serve a variety of lifestyle needs, the high interconnectivity where appropriate, and utilization of floodplain for open space and trailways.

Director Stanton said that Staff recommends approval of the requested Final Plat with the following 13 conditions, some of which are boiler plate, clean-up or carried over from the Preliminary Plat.

1. Correct building lines for Lots 46 and 50 to be 30' adjacent to Juiper Street, which is clean-up.
2. Add signature blocks for Patty Hilderbrand, P.E., Public Works Director and Chistina Stanton, AICP, Community Development Director, also clean-up.

3. Provide a copy of any covenants, conditions, and restrictions for the homeowners' association.
4. Current fire flow shall be performed by a reputable water purveyor. These should be per IFC 2018 Appendix B, Section B105.1(1).
5. The plan should show hydrant locations per IFC 2018 Appendix C, Section 507.
6. Provide hydrant spacing per IFC 2018 Appendix C, Table C102.1.
7. Provide required access and loading, per IFC Appendix D, Section D102.1.
8. The Developer to pay \$1,500.00 per streetlight. The Developer shall provide and install the conduit and dig the trench, Public Works staff shall install the wire for the streetlights. Locations will be determined by Public Works staff.
9. Trails shall be provided that connect to the sidewalks and connect the proposed and existing open space areas including the Hite Park properties. This was carried over from the Preliminary Plat.
10. Add a note to the plat that describes the general location and size of proposed parks, trails, or other public amenities, whether open to the general public or to be reserved by deed or covenant for the use of all property owners within the subdivision.
11. Fee-in-Lieu of Stormwater Detention fees of \$2,300.00 per residential lot development acre for the proposed 53 lots, 51.63 acres, is \$118,749.00 and will be due after Final Plat approval and before the issuance of any building permits.
12. 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. This is a generic condition from the Preliminary Plat.
13. Sewer and water mains shall be installed with ten feet of separation and shall be located such that they are on different sides of the streets. This was also carried over from the Preliminary Plat.

Chris Chiodini asked if the Preliminary Plat was approved last year. Director Stanton said yes. Mr. Chiodini asked why the developer was reluctant to put the trails on the plat? Director Stanton said that the developer is interested in providing the trails but is reluctant about when and where they will go. They said the detention area is not practical. Staff would like to see connecting trails to the lots and cul-de-sacs and is hopeful that it will happen. She said that the City's Bicycle and Pedestrian Master Plan shows trails in this area. Grant Purkey, Parks and Rec Director, said the sidewalks would be sufficient but would like to see them connect the green space. Mr. Chiodini asked how to make this happen. Director Stanton said that would be in the Development Agreement, but the trails are not in it.

Mr. Chiodini asked if design plans for infrastructure had been given to the City. Director Stanton said yes and they have been reviewed by Public Works.

Mayor Zaring asked if this were approved tonight, would the City lose the ability to require the trails. Director Stanton said that is what condition #10 is asking for.

Mr. Chiodini asked if the area will have adequate fire flow and if this was Water District #4 since the City had some issues with them in the past. Mayor Zaring said that had all been sorted out. Mr. Chiodini asked if test results would be provided by a licensed testing contractor.

Director Stanton said yes.

Tim Atkins, with Engineering Solutions, told the Commission that the plan is to build 3 streets, 1 over the dam, and 2 laterals. He said they currently do not have a master plan of where trails may be located. He said the fire flow would be tested and meet the fire code.

Mayor Zaring asked if the 24 inch wide grassy strip between the curb and sidewalks was the minimum standard? Director Stanton said that is directly from code, but yes, it is the minimum. Mayor Zaring said he is concerned the trails will not be built. Mr. Atkins said that they are building plans for the serpentine road and it is a large investment. They just aren't sure where trails will be put yet. Ideally, they will not be right behind peoples' houses. Mr. Chiodini asked if there would be more plats coming before the Commission. Mr. Atkins said yes, if things continue to go well. The developers are focused on the promise to the City of building the road.

With no other questions or comments, the Public Hearing was closed at 6:45 PM.

D. Appl. #FP-25-001 – A FINAL PLAT for Cedar Crossing, Lots 1 – 53 & Tract A located south of Parkwood South and north of 267th Street - CONSIDERATION

RESULT: Passed
MOVER: Mayor Zaring
SECONDER: Cheryl Bush
AYES: Chris Chiodini, Scott Milner, Cheryl Bush, Joe Parkhurst, Mayor Zaring, Milton Siegenthaler

Mayor Zaring made a motion to recommend approval of the Final Plat application to the Board of Aldermen with Staff's conditions. Cheryl Bush seconded. The motion passed unanimously.

E. Appl. #RZ-25-003—A REZONING of Approximately 20.52-Acres from Single-Family Residential (R-1) District to Non-Retail Business (C-O) District Located West of Jefferson Street, North of Locust Street and Locust - PUBLIC HEARING

Director Stanton presented the Staff Report for application #RZ-25-003. The applicant is seeking approval of a request to Rezone 20.52-acres from Single-Family Residential (R-1) District to Non-Retail Business (C-0) District to allow for the future Cass County Public Library and future duplexes. She said the previous actions include:

- March 10, 1965- The Board of Aldermen approved and established zoning for several properties that had been annexed into the corporate city limits since April 7, 1959, this included the frontage properties along Locust Street, which were established as "Residential District No. 2".
- August 6, 1969- The Board of Aldermen approved an Ordinance (#833) declaring the results of the special annexation election held July 22, 1969. The annexation included several tracts of land including the northern 3/4 of this property.
- September 20, 1978- The Board of Aldermen approved Zoning Ordinance #1194, which established the zoning for this area as Low Density Single-Family Residential (R-1A) District.
- May 13, 1991- The Board of Aldermen approved Zoning Ordinance #1825, which removed the R-1A District and established present-day Single-Family Residential (R-1) District.
- April 11, 2025- The Minor Plat of Locust Place, Lots 1 and 2, was recorded with the Cass

County Recorder of Deed's Office by Instrument #764544 in Book 27 on Page 26.

Director Stanton said that under the analysis section:

- The Proposed Zoning section briefly compares the dimensional standards for the R-1 and C-O Zoning Districts.
- In the Comprehensive Plan section the area is identified as "Community Mixed-Use". "Community mixed-use places are suburban hubs intended to accommodate daily needs for residents of the city. These places should be arranged to integrate a broad range of retail, service, office, and residential uses together in a town center format." The intended uses for this proposed Rezoning have the potential to address all three of the "Key Priorities: listed:
 - i. "Integration of modernized and revamped residential uses into existing community mixed-use areas.
 - ii. Integration of office employers and larger-scale experiential destinations like movie theaters, arcade/gaming complexes, and bowling alleys.
 - iii. Improve pedestrian, ADA, and bicycle facilities for both access and circulation."

In the Rezoning Criteria section of the analysis review criteria a, b, c, e, m and q are considered: Criterion a. The character of the neighborhood.- The overall character appears to be consistent with the City's 2040 Comprehensive Plan. It includes a mixture of offices, bank, salon, and apartments nearby.

Criterion 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.- The existing zoning is R-1, which is not compatible with the existing offices and proposed future uses of a library and duplexes. However, the proposed zoning of C-O is compatible with these uses.

Criterion c. The extent to which the proposed use facilitates the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.- The availability of existing utilities and their capacities were discussed during the pre-application meeting. Normal fire flow tests will be required. Specifics for electricity will be addressed during the Final Development Plan process. Staff is confident that the existing system will be able to handle the development with any upgrades specifically needed for the development.

Criterion e. The length of time, if any, the property has remained vacant.- The property was annexed into the Corporate limits of the City in the 1960's and has remained undeveloped since that time.

Criterion 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.- The question of whether our public facilities 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.

Criterion q. The consistency of the proposed use with the permitted uses and the uses subject to conditions in the district in which the proposed rezoning or special use is located.- The proposed uses are consistent with the permitted uses for the district proposed and surrounding properties. Staff recommends approval of the requested Rezoning of approximately 20.52-acres from Single-Family Residential (R-1) District to Non-Retail Business (C-O) District with the

condition that a Final Development Plan shall be submitted, reviewed, and approved prior to the issuance of any development related, building or infrastructure, permits.

Director Stanton added that she had one or two individuals call about the proposed library to be built at this site. She reminded them that this Public Hearing is purely for the Rezoning application and that the Board of Aldermen or the Library Board would be the appropriate bodies to hear their concerns. Dorothy Young has an existing property at 1602 N. Commercial Street. She asked if the Rezone and potential for the library to be built on this property was going to impact her tenant's SUP to operate Guns, Gold and Pawn. Director Stanton said that this will not impact the SUP. However, it does expire on October 5, 2027, and this will be looked at again at that time.

Butch Beeman, resident and neighboring property owner, spoke to the Commission about his concerns for the traffic problems at the intersection of Commercial Street and Locust Street and what adding the library will bring to the current issues that are already there. He said it would make him feel better as a property owner to handle the request for rezoning one at a time.

Bing Schimmelpfenning told the Commission that the Library is an anchor to the heart of our community, being close to the square, drawing people to the downtown area where we have 24 member businesses that will receive less traffic should the request be granted. The library is a hub of activity for young people in our town who currently have very little to offer them. There is no bowling alley or movie theater like when he was a kid. Moving it further away from the schools and our young people will hurt the library. Students can walk to the library, but they won't be able to do that if it is moved to the proposed location off of Locust Street. He recommended that the Planning and Zoning Commission deny the request to rezone the property. Mr. Schimmelpfenning also said that there other properties closer to the library that could and should be considered that would continue to benefit the youth, schools and downtown district. He said that taxpayer dollars would be wasted because someone couldn't or wouldn't move a book 3 feet higher on a shelf. The best scenario would be for the library to stay where it's at and spend the tax money on programming for the community and pay increases for the staff. Mayor Zaring said that this needed to be brought to the Library Board. Mr. Schimmelpfenning said that he disagreed.

Joe Parkhurst confirmed that this application was going to the Board of Aldermen and that a traffic study could be required with the Final Development Plan. Mayor Zaring said that the Final Development Plan is Administrative.

Milton Sigenthaler said that he is also concerned about the traffic.

Director Stanton replied to Mr. Beeman's comment about rezoning request one at a time. She said that they don't want to spot zone. That is why they are looking at the entire parcel and that the proposed use fits and is appropriate.

Mr. Parkhurst said that he was concerned about student safety when crossing the road.

Mayor Zaring said that the City has traffic issues, not just at this location. He also said he does think a traffic study is needed.

Chris Chiodini confirmed that the lot split that was recorded in April was Administrative.

Director Stanton said yes. Mr. Chiodini said that a couple of people have mentioned why rezone the whole thing. With every rezone there is criteria. There is a reason for the rezoning. The driver for this one is relocating the library. He said that there are unresolved issues with this rezoning request. He said that Community "Mixed Use" would work for a larger property, but not with this.

Director Stanton said that the Final Development Plan will require a traffic study.

Milton Sigenthaler asked what the property is used for now. Director Stanton said it is vacant. With no other questions or comments, the Public Hearing was closed at 7:17 PM.

F. Appl. #RZ-25-003—A REZONING of Approximately 20.52-Acres from Single-Family Residential (R-1) District to Non-Retail Business (C-O) District Located West of Jefferson Street, North of Locust Street and Locust - CONSIDERATION

RESULT: Passed
MOVER: Joe Parkhurst
SECONDER: Mayor Zaring
AYES: Scott Milner, Cheryl Bush, Joe Parkhurst, Mayor Zaring, Milton Sigenthaler
NAYS: Chris Chiodini

A Roll Call vote was taken.

Joseph Parkhurst - Aye

Milton Sigenthaler - Aye

Cheryl Bush - Aye

Scott Milner - Aye

Chris Chiodini - Nay

Mayor Zaring - Aye

The motion passed 5 to 1.

G. Appl. #FP-25-0002 – A FINAL PLAT for *Burriss Ridge, 4th Plat, Lots 1-76 - PUBLIC HEARING*

Director Stanton presented the Staff Report for Application #FP-25-002. The applicant is seeking approval of the Final Plat of Burriss Ridge 4th Plat, Lots 1-76. She said under the Previous Actions section she was not going to focus on the earlier history, just the last couple of years related to this phase, although all of the history is available in the Staff Report.

- April 20, 2023- The Planning and Zoning Commission recommended approval with a vote of 6-1 of the Burriss Ridge 4th Preliminary Plat as proposed. This included the 2nd access off of MO-7 Hwy.
- May 1, 2023- The Board of Aldermen approved a Resolution (#2023-18) approving the Preliminary Plat of Burriss Ridge 4th, Lots 1-77. Approval was contingent upon compliance with the Zoning and Subdivision Regulations; more specifically, the provision of a second point of ingress/egress to the subdivision from Mechanic/MO-7 Hwy.
- March 12, 2024- Staff held a Pre-Application Meeting with Mr. Marc Cook to review the next steps and what would be required for the Final Plat process.
- April 9, 2024- An application (#FP-24-001) for Final Plat for Burriss Ridge 4th was submitted for review. Corrections were sent out and made, the item was scheduled for the May 16, 2024, Planning and Zoning Commission Meeting and the May 20, 2024, Board of Aldermen Meeting for Public Hearings.
- May 7, 2024- Staff received an email stating that the applicant "would like to

respectfully remove Burriss Ridge 4th Plat from consideration for approval from the Board of Aldermen at this time", which meant that the item never came before the Planning and Zoning Commission. A new Final Plat Application was required to be submitted before May 1, 2025, or the approved Preliminary Plat would have expired.

- April 23, 2025- Mr. Marc Cook submitted a new application for the Final Plat (Application # FP-25-002) of Burriss Ridge, 4th Plat, Lots 1-76. The applicant stated that the Final Plat itself has not changed, which is why the attached Final Plat exhibit is dated from 2024.

Under the Analysis section of the Staff Report:

- A detailed overview of the number of lots and changes in the zoning is provided. A key statement from this section is: "Both the portions of the development already developed, and the proposed 4th Plat have less lots than were originally planned for this development, the lots have been enlarged to better cater to the housing market. The overall street network of the development is largely the same as it was originally planned except that the area around the previous original Preliminary Plat cul-de-sacs of Roanoke Drive and Durham Circle has been reconfigured, Lady's Lane is located further east, and the access to the north is no longer part of the overall plan."
- Access is discussed in greater detail, as was presented in 2023 when the Preliminary Plat for this phase was discussed: "The Burriss Ridge development was originally approved with two points of access planned. The primary point of ingress and egress to and from the subdivision is Burriss Drive. The original Preliminary Plat contemplated a second point of access to the north. However, the developers of the Burriss Ridge development did not own the property to the north and staff cannot find that any easement or agreement for a future right-of-way through said property was ever recorded. Section 410.490.J.4 and 5 of the City's Municipal Code and Section D107, Appendix D, of the International Fire Code (IFC) 2018 both require a second point of access. A second point of access has been provided on the proposed Final Plat as shown on the attached Exhibit."
- Also discussed is a section regarding the HOA: "Staff has found that it appears that the original developer, Eternal Investments, LLC, recorded a "Declaration of Protective Covenants and Restrictions for Burriss Ridge Subdivision, Lots 25-186 Located in Harrisonville, Cass County, Missouri" on December 14, 2006. They also recorded "By-Laws of Burriss Ridge Homeowners Association" on December 19, 2006. However, it does not appear that the association was set-up through the Secretary of State. On October 8, 2019, Burriss Ridge, LLC amended the original Covenants and Restrictions for Burriss Ridge. There is no "Burriss Ridge Homeowners Association" registered with the Secretary of State; however, the Burriss Ridge, LLC is registered. The amended Covenants reference homeowners who no longer reside within the Burriss Ridge subdivision. Additionally, Burriss Ridge, LLC no longer owns any of the lots. Additionally, it is interesting to note that the landscaped island, Tract A, in Burriss Ridge is shown to be owned by "Burriss Ridge Homeowners Association", but said association does not appear to actually exist with the Secretary of State. Considering that there is an existing Tract A with landscaping and signage that is currently owned by a non-existing entity, Staff would be supportive of the developer utilizing his votes and working with

the residents of Burris Ridge to register the HOA and include the management of the existing landscaping, signage, and pond within their duties.

- The final sub-section under the analysis section pertains to Access to Parks. This section briefly mentions that "the developer has agreed to provide access to the pond and trail but is still working to determine where the best location for access is and has stated that this may be provided by easement recorded by a separate document".

Director Stanton said the Procedure section of the Staff Report lays out the recommendation options of the Planning and Zoning Commission, approval, conditional approval or disapproval. The three key criteria for recommendation of approval, and Staff's professional opinion on these three items. Staff recommends approval of the requested Final Plat with the following conditions:

1. The access point of Raleigh Drive onto Mechanic Street/MO-7 shall be installed first as a construction entrance to minimize the impact of construction trucks and equipment upon the existing neighborhood.
2. Street name "Lady Lane" needs to be corrected to "Lady's Lane" to match the previously platted street name. Additionally, "Lady Court" shall be corrected to "Lady's Court".

Steven Maldonado, Burris Ridge resident, spoke about his concerns about stormwater plans and the roadways shedding water. He said there needs to be a second access point and access to the park that is not a "General Use" easement that would burden the future homeowner.

Mr. Chiodini said that he did not see a "General Access" easement on the plat. Director Stanton said that the developer said that it will get added. Mr. Chiodini said that it should be on the plat. Adam Brill, Burris Ridge resident, asked who would be responsible for building sidewalks on the properties that are already built on when the continuation of roads happens. Mr. Chiodini said that the plat requires sidewalks. Director Stanton said that could be an added condition. Mr. Brill said he does not want an HOA and that not all the properties have declared covenants. He asked if these property owners would be forced into the HOA. He said that the City Ordinances are strict enough. Mr. Chiodini said that he could not be forced to join an HOA.

Asher McDaniel, Burris Ridge Resident, asked why the original Preliminary Plat said Lots 1-77 and this version is 1-76. Director Stanton said that the developer lost a lot with the second access to the subdivision. He added that he wants to see access to the park and a walking trail. Also that he appreciates Raleigh Drive and the second entrance but is concerned about Lady's Lane being right in front of houses with small children.

Joseph McGhee, Burris Ridge resident, asked why there was not already a second entrance since there are already 63 lots and it should have been put in at 30. Director Stanton restated that when this was originally platted there was access shown to the north but there was not an agreement in place with that property owner.

Joseph Parkhurst asked about the Staff Report stating that Raleigh is listed as the construction entrance. Director Stanton said that it will be the construction entrance to minimize construction vehicles during the building out process, but will be the required second entrance into the subdivision.

Mr. Chiodini asked about the change in grade and the break and access pertaining to MO-7 and Raleigh Drive. Director Stanton said that would be up to MODOT.

Mr. Chiodini asked if MODOT would approve the second access. Director Stanton said that it

has already been approved.

Mr. Brill said that he would recommend that there is no HOA, there is access to the park and that an easement is not the answer as people cut through his yard to get to the pond. He said he would like access to the park to be officially on the plat.

Mr. Parkhurst asked more about the HOA Covenants & Restrictions. He said that there is no true enforcement and asked if this was for the sign and trail. Director Stanton said that they are separate, but together.

Mr. Chiodini said that he believes the public access should be a condition of approval.

Mr. Brill said sidewalks should be platted and should connect.

Mr. Maldonado asked if code for a trail is 6 feet. He said he wants the Stormwater Management Plan published.

Seth Brown, Burriss Ridge resident, stated that MODOT will dictate what will be required for the access on MO-7.

Mr. Maldonado stated that the access from MO-7 would be steep and need ADA compliance with sidewalks. Mr. Chiodini said there are no sidewalks on MO-7.

Mr. Maldonado asked what page 37 meant that the developer would have votes. Director Stanton said that if the developer chose to work with property owners on an HOA, he would have votes for each of his lots.

With no other questions or comments, the Public Hearing was closed at 8:05 PM.

H. Appl. #FP-25-0002 – A FINAL PLAT for *Burriss Ridge, 4th Plat, Lots 1-76* - CONSIDERATION

RESULT:	Passed
MOVER:	Mayor Zaring
SECONDER:	Cheryl Bush
AYES:	Chris Chiodini, Scott Milner, Cheryl Bush, Joe Parkhurst, Mayor Zaring, Milton Siegenthaler

The Commission discussed the Stormwater Plan, sidewalks, the HOA and access to the pond. Mayor Zaring made a motion to recommend approval of the Final Plat to the Board of Aldermen with Staff's two conditions and added:

- A Stormwater Management Plan and Stormwater Pollution Prevention Plan shall be provided, in accordance with Article II of Chapter 415 and per APWA, for this phase of development,
- The developer shall connect all future sidewalks to the existing sidewalk network.
- The developer shall provide a copy of the current approved permit from MoDOT for a second access onto Mechanic Street/MO-7 Hwy.
- The Final Plat shall be revised to show public access is being provided to the pond, park, and trails.

Cheryl Bush seconded the motion. The motion passed unanimously.

4. Discussion Items

The Commission was reminded that the June meeting will be held on Wednesday, June 18, 2025.

5. Adjourn

With nothing further to come before the Commission, Mayor Zaring made a motion to adjourn. Scott Milner seconded. The meeting was adjourned at 8:15 PM.

Respectfully Submitted:

Jamie Martin, Recording Secretary