

Village of Loch Lloyd – Minutes

January 16, 2024

Attendees included: Chairman Randal Schultz, Boardmember Tony Lafata, Boardmember Stevie Douglas, Boardmember Wayne Little, and Boardmember Ruth Withey. Also present was Village Attorney Zerr (Kapke & Willerth, LLC) and Village Planner Shires (Confluence).

1. Call to Order by Chairman Schultz at 6:00 p.m.
2. Pledge of Allegiance.
3. Chairman Schultz recognized Boardmember Lafata for a Motion to Approve the Agenda.
 - a. Motion was made by Boardmember Lafata.
 - b. Motion was seconded by Boardmember Withey.
 - c. With there being no further discussion on the motion, Chairman Schultz called the question.
 - d. Motion passed by a vote of unanimous vote as follows:

Boardmember Withey	<u>Yea</u>
Boardmember Douglas	<u>Yea</u>
Boardmember Lafata	<u>Yea</u>
Boardmember Little	<u>Yea</u>
Chairman Schultz	<u>Yea</u>
4. Chairman Schultz recognized Boardmember Withey for a Motion to Approve the Minutes of November 21, 2023
 - a. Motion made by Boardmember Withey.
 - b. Motion was seconded by Boardmember Douglas.
 - c. With there being no further discussion on the motion, Chairman Schultz called the question.
 - d. Motion passed by a vote of unanimous vote as follows:

Boardmember Withey	<u>Yea</u>
Boardmember Douglas	<u>Yea</u>
Boardmember Lafata	<u>Yea</u>
Boardmember Little	<u>Yea</u>
Chairman Schultz	<u>Yea</u>
5. Chairman Schultz opened the public hearing for discussion on the Land Use Master Plan.
 - a. Chairman Schultz provided initial background including the legal basis and need for adoption of a Land Use Master Plan.
 - b. Chairman Schultz recognized Village Planner Shires, principal of Confluence Land Planners for PowerPoint presentation including the process instituted, the legal obligations for adoption of a Land Use Master Plan, and the impact for the same, including;
 - i. The legal obligations for adoption by resolution,
 - ii. Confirmation that it is not law, just a guide.
 - iii. Discussion of the process instituted, and

- iv. The impact in the adoption of the Land Use Master Plan.
- v. Mr. Shires presented the original developed condition, the current existing conditions, and the future land use plan review.
- vi. The Land Use Definitions adopted would include:
 - * Single Family Residential Detached,
 - * Single Family Residential Attached,
 - * Commercial, and
 - * Recreational Open-Space.
- c. Mr. Shires provided analysis on Policy #1 – Land Use Policy Considerations (not an ordinance...not law)
 - i. Planning & Zoning and Board that the proposed rezoning is substantially consistent with the then-existing Master Plan and the Land Use Policies, or
 - ii. The amendment of the Master Plan and Land Use Policies to the extent necessary to permit the requested rezoning subject to review by the P&Z and Board that the requested rezoning adequately addresses the issues identified in policies 2 and 3 after notice, meeting, and other legal requirements.
- e. Policy #2 – maximizing recreational open space with 150 feet measured from lot line to lot line. (Would apply to the street as well.)
- f. Question from Director Douglas regarding the buffer zone requirements...additional to set-backs.
- g. Policy #3 – Rezoning approval “findings of facts” suggested for use in evaluating future applications. (Listed on PowerPoint as subparagraphs a – o.)
- h. Questions from the Board.
 - i. Boardmember Withey – Public given 3-5 minutes. Requested 3 minutes.
 - ii. Boardmember Schultz – Welcomed input with discretion/latitude in their comments.
- i. Troy Brazewell – Great process in his opinion. Thanks to the Board, P&Z and opportunity to participate. 30’ and 60’ development normal. 150’ is appropriate for those on the Seacrest. 60 houses/100 houses proposed plans. Seacrest stakeholder representative. Wants to see it maintained as is.
- j. Bryan McCrosky – speaking from the heart. Appreciation for the expertise brought to the process. Owns a home on the Seacrest. Love the home and community. Harry Lloyd had a vision and we need to preserve the vision. Not a lot of population was the intent. That was his vision. We have a wonderful opportunity. Has been here forever. We need to preserve it. Do the right thing. Keep the vision that Harry had. That is not overpopulation of housing. Issues with 150’ preferred. Would have preferred 150’. Use your best judgment and do the right thing.
- k. Connie Long – familiar face at these meetings. Appreciate the effort trying to reach a compromise as to the land use policies. Would like to see a reference to the impact on public safety. Would like to see a specific statement as to the economic impact on the existing homeowners and the community as a large. (See “a” and “o” of the “findings of fact”.)
- l. Public Hearing closed by Chairman Schultz.

- m. Discussion by members of the Board of Trustees
 - i. Comments/questions by members of the Board ensued.
 - ii. Chairman Schultz recognized Boardmember Withey for a Motion to Approve Resolution No. 01162024 adopting the Land Use Master Plan as presented.
 - iii. Boardmember Withey motioned to approve Resolution No. 01162024 adopting the Land Use Master Plan as presented
 - iv. Boardmember Little seconded the Motion.
 - v. Comments by Dir. Withey regarding what makes the Village unique in such a manner as to justify the imposition of the 150’ buffers/setbacks.
 - vi. There being no further discussion to come before the Board, Chairman Schultz called the question.

vii. Motion passed by a vote of unanimous vote as follows:

Boardmember Withey	<u>Yea</u>
Boardmember Douglas	<u>Yea</u>
Boardmember Lafata	<u>Yea</u>
Boardmember Little	<u>Yea</u>
Chairman Schultz	<u>Yea</u>

- 6. Chairman Schultz opened the floor for discussion the process to clean up the existing Zoning Map. Discussion item only. No action to be taken.
 - a. City Planner Shires provided a presentation of the current zoning map.
 - b. Wants to make sure that it reflects the actual village boundaries.
 - c. Wants to make sure that the villagers on the south side are shown with the actual zoning designation as adopted upon introduction.
 - d. Proposing to update the map for presentment at a future meeting which would include a public hearing. Notice. P&Z. Board.
 - e. Question from Chairman Schultz on whether the owners under the R-1A have documentation for the change in zoning.
 - f. Mr. Shires noted the additional research but suggested “clean-up” by treating it as a map amendment to avoid future doubts/concerns.
 - g. Question presented by Chairman Schultz to Director Little regarding confirmation of the process previously used.
 - h. Director Little confirmed that nothing was ever done.
 - i. Suggest going back to Paul Campo on documentation for clarification of the process.
 - j. No motion was made for any action. No vote was taken.

- 7. Chairman Schultz opened the floor for discussion on the Sunshine Law and the Development Review Process including utilization of staff (Village Planner, Village Clerk, and Village Attorney) for negotiations and meetings.
 - a. Chairman Schultz presented the opportunity for closed session discussions under Sunshine Law exceptions.
 - b. Suggest appointing “a committee” to discuss matters in closed session.
 - c. Village Attorney recommend that it be a full board discussion in executive closed session on the basis of property acquisition.

- d. Questions and concerns on the status of closed session discussions and closed records ensued. Questions answered by Village Attorney Zerr and Village Planner Shires.
 - e. No motion was made for any action. No vote was taken.
8. Chairman Schultz opened the floor for discussion on the “On-Call Development Review Consultant Service”
- a. Mr. Shires presents on same including the seven (7) typical “staff” services provided by planners including;
 - i. Review and approval of rezoning & planned districts,
 - ii. Research and staff reports on Unified Development Ordinance Amendments,
 - iii. Comprehensive Plan Amendments,
 - iv. Review of Site Plans,
 - v. Review of Subdivision Plats,
 - vi. Processing and evaluation of variance and appeals, and
 - vii. Future voluntary and inventory annexations.
 - b. Typical Development Review Process
 - i. Pre-Application Meeting
 - ii. Application Submittal
 - iii. Application reviewed for completeness
 - iv. Application review
 - v. Applicant response.
 - vi. Meeting dates set
 - viii. Staff Report
 - ix. Planning Commission Meeting
 - x. Board of Trustees Meeting
 - xi. Final Plan Copies.
 - c. Chairman Schultz recognized Boardmember Lafata for Motion to continue the retention of Confluence as contract Village Planning services.
 - i. Boardmember Lafata motioned to instruct staff to obtain a proposed contract for continued retention of Confluence to provide contract Village Planning services.
 - ii. Boardmember Douglas seconded the Motion.
 - iii. There being no further discussion to come before the Board, Chairman Schultz called the question.
 - iv. Motion passed by a vote of unanimous vote as follows:

Boardmember Withey	<u>Yea</u>
Boardmember Douglas	<u>Yea</u>
Boardmember Lafata	<u>Yea</u>
Boardmember Little	<u>Yea</u>
Chairman Schultz	<u>Yea</u>
9. Chairman Schultz recognized Boardmember Douglas for discussion on the EMS & Fire Protection Services provided within the Village.

- a. Boardmember Douglas and Boardmember Lafata provided details on the EMS & Fire Protection Services offered within the Village including the following:
 - i. 143rd and State Line – Looking for potential intergovernmental agreement with Leawood for utilization of emergency EMS and Fire Services.
 - ii. Information on the volunteer residents.
 - iii. Question from resident regarding security concerns within the community
 - iv. Answer provided Boardmember Lafata regarding current ability of Belton to cover emergent issues within the Village.
 - v. Is there a potential for intergovernmental services agreement across State Line?
 - vi. South Metropolitan Fire Protection District or Belton are being discussed.
 - vii. Currently under contract with Mount Pleasant.
 - viii. Suggestion from Village resident to look into Platte County – AMR for private services.
 - ix. No motion was made for any action. No vote was taken.
10. Chairman Schultz recognized Village Clerk Lafata for distribution of the final audit for discussion.
- a. Village Clerk Lafata passed out audit and provided an overview of pertinent points.
 - b. Questions and comments ensued from members of the Board.
 - c. Village Clerk Lafata provided responses.
 - d. No motion was made for any action. No vote was taken.
11. Chairman Schultz recognized Village Clerk Lafata for confirmation of next meeting dates and times including February 27 or 28 at 6:00 p.m.
12. There being no further business to come before the Board, Chairman Schultz opened the floor for a motion to adjourn.
- a. Motion to adjourn made by Boardmember Douglas.
 - b. Motion was seconded by Boardmember Withey.
 - c. Chairman Schultz called the question which passed by a unanimous vote of 5 to 0 as follows:
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|---------------------|------------|
| Boardmember Withey | <u>Yea</u> |
| Boardmember Lafata | <u>Yea</u> |
| Boardmember Douglas | <u>Yea</u> |
| Boardmember Little | <u>Yea</u> |
| Chairman Schultz | <u>Yea</u> |

Meeting adjourned at 7:22 p.m.

Respectfully submitted,

Jonathan S. Zerr
Village Attorney