



**STAFF REPORT TO THE PLANNING AND ZONING COMMISSION**  
**DECEMBER 5, 2024 MEETING**  
**AGENDA ITEM: 4a. REZONING – SECHREST**

*(This staff report is based upon the staff report dated October 10, 2024. To simplify the review, new information is highlighted in [blue text](#).)*

**BACKGROUND**

The applicant and property owner, S9-Redev, LLC, is requesting that portions of their 74.9 acre property, generally described as all of Lot 19, Block 7 and portions of Tracts B, G, E, and I, of Loch Lloyd – First Plat, a subdivision within the Village of Loch Lloyd, Cass County, Missouri, and locally known as the Sechrest, be rezoned from Recreational and Open Space District (ROS) to Single Family Residential District (R-1) to accommodate the platting and development of 48 single family residential lots. The remaining areas of the Sechrest, including the areas identified as common area to be platted as tracts, would remain as currently zoned, ROS.

On September 24, 2024, the applicant held two informational meetings to present their plans and answer questions. As a result of those meetings, the applicant has provided revised plans for Area 1 to add a new sidewalk and Area 2 to adjust their plans for the trail.

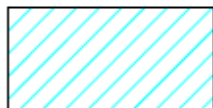
On October 10, 2024, the Village Planning and Zoning Commission held a public hearing on this rezoning request. At this hearing, the applicant made a presentation and provided a letter agreeing not to pursue any development of the area within the Sechrest property locally known as the Center Cut, for as long as he owns the property (see Exhibit 3 for a copy of this letter). The applicant's representatives also stated at the hearing that the existing bathroom facilities and trails within the Center Cut area, shown on the application as being removed, will instead be renovated and preserved. After receiving public comments, the Commission passed a motion to continue the public hearing to a future date and requested the applicant provide a written report from the South HOA, submission of drainage and stormwater management studies, an analysis of the potential construction impacts on existing street network, and a report from the water/sewer authority regarding the impact of the proposed development.

Subsequent to the October 10<sup>th</sup> Commission meeting, the applicant submitted a letter in response to the Commission's request for additional information. The applicant has requested their rezoning request to move forward for action by the Commission so that it may be reviewed and acted upon by the Village Board of Trustees (see Exhibit 4 for a copy of this letter). The applicant has not provided additional information.

The following is a summary of the rezoning request. Included as Exhibit 1 is the application and exhibits including the two revised site plans for Areas 1 and 2.



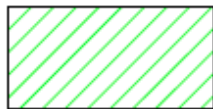
**LOCATION MAPS AND SUMMARY OF REZONING REQUEST**



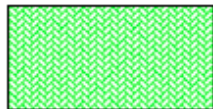
REZONING – AREA 1



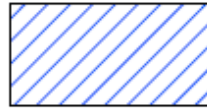
COMMON AREAS – AREA 1



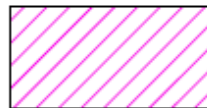
REZONING AREA 2



COMMON AREAS – AREA 2



REZONING AREA 3



REZONING – AREA 4

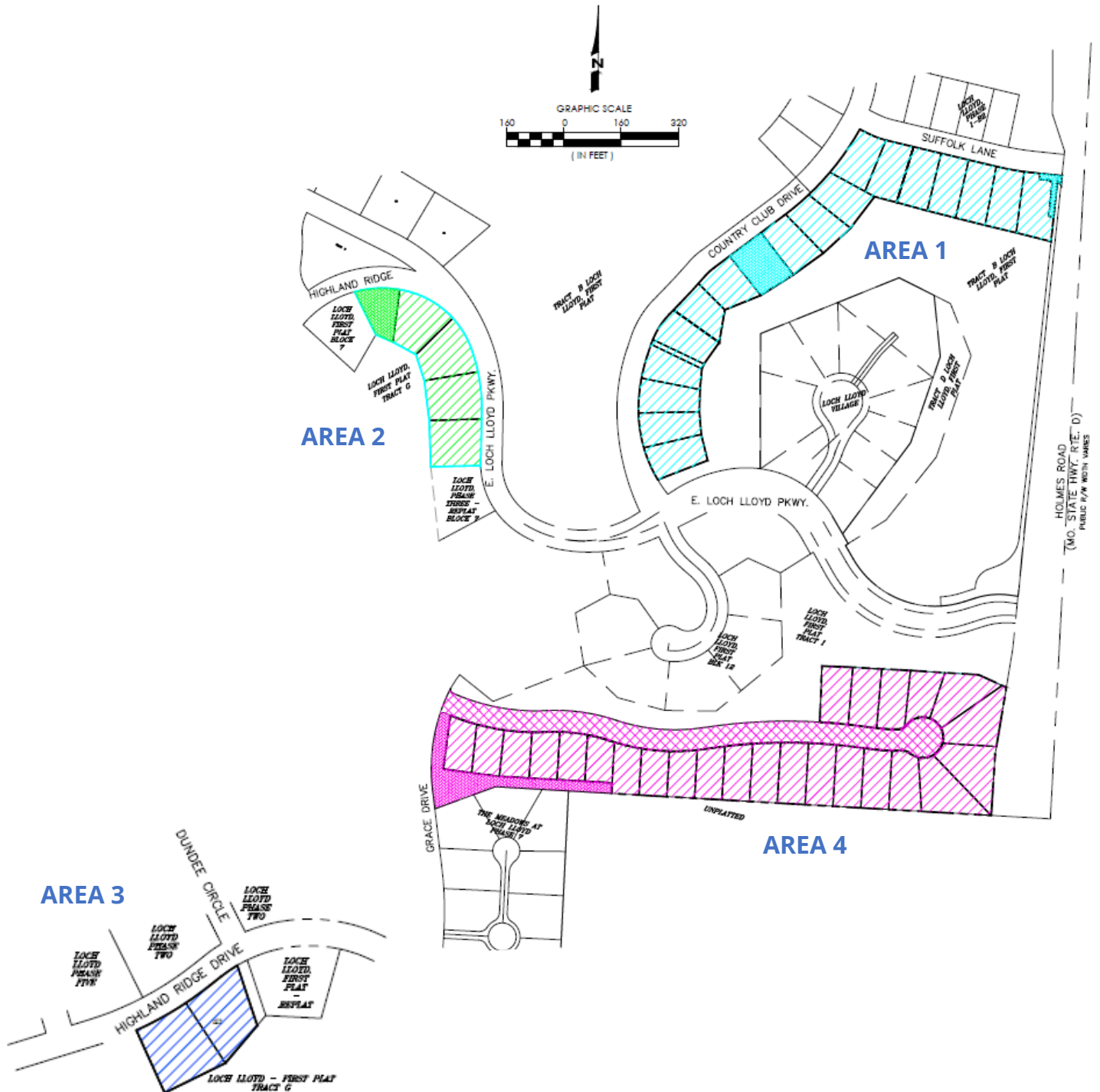


RIGHT OF WAY – AREA 4



COMMON AREAS – AREA 4

VILLAGE OF LOCH LLOYD  
 PLANNING AND ZONING COMMISSION STAFF REPORT  
 DECEMBER 5, 2024 MEETING  
 AGENDA ITEM: 4a. REZONING - SECHREST





**Area 1: 5.85 acres along Country Club Drive and Suffolk Drive (shown in light blue above):**

- 17 single family residential lots
- Lot sizes range from 0.27 acres to 0.36 acres
- Setbacks for lots 1 – 7 along Suffolk Drive:
  - Front: 20 ft
  - Rear: 30 ft
  - Side: 5 ft
- Setbacks for lots 8 – 17 along Country Club Drive:
  - Front: 20 ft
  - Rear: 30 ft
  - Side: 10 ft
- Trails and Sidewalks – The existing trail is proposed to be realigned through the development. The applicant is now proposing a new sidewalk along a portion of County Club Drive (see Revised Sheet C101).
- Buffering – Proposed lots 10, 11, 12, and 13 are closer than 150 ft to the existing lots to the east. The Village’s adopted Land Use Master Plan contains a policy detailing a preference for existing lots to have a minimum open space area of 150 ft in width.
- Landscaping and Berming – The applicant has provided a landscaping and berming plan, part to be installed by the developer and part to be installed by the new homeowners (the homeowner amount to equal 0.5% of the cost of the new home).

**Area 2: 1.98 acres along Loch Lloyd Parkway (shown in green above):**

- 4 single family residential lots
- Lot sizes range from 0.42 acres to 0.43 acres
- Setbacks:
  - Front: 35 ft
  - Rear: 30 ft
  - Side: 15 ft
- Trails – The existing trail proposed to be realigned through the development but will still cross the street at approximately the same location near the clubhouse entrance drive (see Revised Sheet C102).
- Landscaping and Berming – The applicant has provided a landscaping and berming plan, part to be installed by the developer and part to be installed by the new homeowners (the homeowner amount to equal 0.5% of the cost of the new home).

**Area 3: 2.64 acres along S. Highland Ridge Drive (shown in dark blue above):**

- 2 single family residential lots
- Lot sizes 0.5 acres
- Setbacks:
  - Front: 35 ft
  - Rear: 30 ft
  - Side: 15 ft
- Trails – The existing trail proposed to be realigned through the development but will still cross the street at approximately the same location near the clubhouse entrance drive (see Revised Sheet C102).



- Buffering – Proposed lots 23 is closer than 150 ft to the existing lot to the west. The Village’s adopted Land Use Master Plan contains a policy detailing a preference for existing lots to have a minimum open space area of 150 ft in width.
- Landscaping and Berming – The applicant has provided a landscaping and berming plan, part to be installed by the developer and part to be installed by the new homeowners (the homeowner amount to equal 0.5% of the cost of the new home).

**Area 4: 9.97 acres west of Grace Drive (shown in purple above):**

- 25 single family residential lots served by a new street
- Lot sizes range from 0.22 acres to 0.42 acres
- Setbacks:
  - Front: 20 ft
  - Rear: 30 ft
  - Side: 7.5 ft
- Trails – The existing trail proposed to be realigned through the development but will still cross Grace Drive at the same location.
- Buffering – Proposed lots 24 thru 28 are closer than 150 ft to the existing lots to the south. Proposed lots 24 thru 35 are closer than 150 ft to the existing lots to the north. The Village’s adopted Land Use Master Plan contains a policy detailing a preference for existing lots to have a minimum open space area of 150 ft in width.
- Landscaping and Berming – The applicant has provided a landscaping and berming plan, part to be installed by the developer and part to be installed by the new homeowners (the homeowner amount to equal 0.5% of the cost of the new home).
- New Street – The new street being proposed is 28 ft wide from back-of-curb to back-of-curb, 8-inche thickness asphalt (HMA) with a rock subbase, approximately 1,400 ft long ending with a cul-de-sac bulb, and platted within a 60 ft wide private street parcel.
- Street Lights – The applicant is proposing to install street lights along the new street consistent with the lighting of the other streets in the area.

**ZONING DISTRICT DESIGNATIONS**

The applicant has requested R-1 zoning for all four areas with exceptions to the front yard and side yard setbacks for Areas 1 and 4. If this rezoning request is approved, it may be preferable for the Village to classify Areas 1 and 4 as R-1a zoning versus R-1 zoning to better match the requested building setbacks with the requirements of the Village’s adopted Uniform Development Ordinance (UDO), with the condition that Area 1 will have a 10 ft side yard setback for those lots fronting Country Club Drive and Area 4 will have a 7.5 ft side yard setback instead of the 5 ft side yard setback as specified in the R-1a zoning district.

For comparison:

The R-1 zoning district standards are:

- **Front: 35 ft**
- Rear: 30 ft
- **Side: 15 ft**
- Min lot size: 10,000 sq ft (0.23 acres)
- Max building height: 2½ stories and 35 ft



- Min floor area: 2,100 sq ft for 1-story homes and 2,400 sq ft for 2-story homes

The R-1a zoning district standards are:

- **Front: 20 ft**
- Rear: 30 ft
- **Side: 5 ft**
- Min lot size: 10,000 sq ft (0.23 acres)
- Max building height: 2½ stories and 35 ft
- Min floor area: 2,100 sq ft for 1-story homes and 2,400 sq ft for 2-story homes

Recommended zoning district designations:

- Area 1: R-1a zoning district with 10 ft side yard setbacks for the lots fronting Country Club Drive.
- Area 2: R-1 zoning district.
- Area 3: R-1 zoning district.
- Area 4: R-1a zoning district with 7.5 ft side yard setbacks.

**LOT SIZE AND DENSITY ANALYSIS**

At the October 10, 2024 hearing, the Commission requested information concerning how the proposed lots compare to the nearby existing lots in regards to lot sizes, density (lots per acre), building setbacks, and minimum home sizes.

**Area 1:**

Proposed Lots: The 17 lots proposed in Area 1 range from 0.27 acres to 0.36 acres in size with an **average lot size of 0.32 acres and an overall density of 3.15 lots per acre**. The proposed building setbacks, lot sizes, and home sizes meet the **R-1a** zoning district standards:

- **Front: 20 ft**
- **Rear: 30 ft**
- **Side: 5 ft**
- Min lot size: 10,000 sq ft (0.23 acres)
- Max building height: 2½ stories and 35 ft
- Min floor area: 2,100 sq ft for 1-story homes and 2,400 sq ft for 2-story homes

The applicant is proposing a 10 ft side yard setback standard for the lots that front along Country Club Drive.

Lots to the North: In comparison, the lots to the north of Area 1, located along Suffolk Drive and Country Club Drive, range in size from 0.26 acres to 0.35 acres with an **average lot size of 0.3 acres and an overall density of 3.31 lots per acre**. The lots along Suffolk Drive are zoned **R-1a** which has the following standards:

- **Front: 20 ft**
- **Rear: 30 ft**
- **Side: 5 ft**
- Min lot size: 10,000 sq ft (0.23 acres)
- Max building height: 2½ stories and 35 ft
- Min floor area: 2,100 sq ft for 1-story homes and 2,400 sq ft for 2-story homes



The lots along Country Club Drive are zoned **R-1aa**, which has the following standards:

- **Front: 25 ft**
- **Rear: 50 ft**
- **Side: 10 ft**
- Min lot size: 10,000 sq ft (0.23 acres)
- Max building height: 2½ stories and 35 ft
- Min floor area: 2,100 sq ft for 1-story homes and 2,400 sq ft for 2-story homes

Lots to the South and East: The lots located to the south and east of Area 1, along the Village Drive cul-de-sac, range in size from 0.3 acres to 0.92 acres with an **average lot size of 0.43 acres and an overall density of 2.32 lots per acre**. These lots are zoned R-1 which requires the following setback and lot size standards:

- **Front: 35 ft**
- **Rear: 30 ft**
- **Side: 15 ft**
- Min lot size: 10,000 sq ft (0.23 acres)
- Max building height: 2½ stories and 35 ft
- Min floor area: 2,100 sq ft for 1-story homes and 2,400 sq ft for 2-story homes

#### **Area 2:**

Proposed Lots: The 4 lots proposed in Area 2 range from 0.42 acres to 0.43 acres with an **average lot size of 0.43 acres and an overall density of 2.35 lots per acre**. The proposed building setbacks, lot sizes, and home sizes meet the R-1 zoning district standards:

- **Front: 35 ft**
- **Rear: 30 ft**
- **Side: 15 ft**
- Min lot size: 10,000 sq ft (0.23 acres)
- Max building height: 2½ stories and 35 ft
- Min floor area: 2,100 sq ft for 1-story homes and 2,400 sq ft for 2-story homes

The lots in the vicinity of these proposed lots range in size from 0.47 acres to 0.82 acres with an **average lot size of 0.6 acres and an overall density of 1.68 lots per acre**. These lots are zoned R-1 which requires the following setback and lot size standards:

- **Front: 35 ft**
- **Rear: 30 ft**
- **Side: 15 ft**
- Min lot size: 10,000 sq ft (0.23 acres)
- Max building height: 2½ stories and 35 ft
- Min floor area: 2,100 sq ft for 1-story homes and 2,400 sq ft for 2-story homes

#### **Area 3:**

Proposed Lots: The 2 lots proposed in Area 3 are each **0.5 acres with a density of 2 lots per acre**. The proposed building setbacks, lot sizes, and home sizes meet the R-1 zoning district standards:

- **Front: 35 ft**
- **Rear: 30 ft**



- **Side: 15 ft**
- Min lot size: 10,000 sq ft (0.23 acres)
- Max building height: 2½ stories and 35 ft
- Min floor area: 2,100 sq ft for 1-story homes and 2,400 sq ft for 2-story homes

The lots in the vicinity of these proposed lots range in size from 0.51 acres to 0.91 acres with an **average lot size of 0.66 acres and an overall density of 1.51 lots per acre**. These lots are zoned R-1 which requires the following setback and lot size standards:

- **Front: 35 ft**
- **Rear: 30 ft**
- **Side: 15 ft**
- Min lot size: 10,000 sq ft (0.23 acres)
- Max building height: 2½ stories and 35 ft
- Min floor area: 2,100 sq ft for 1-story homes and 2,400 sq ft for 2-story homes

#### **Area 4:**

Proposed Lots: The 25 lots proposed in Area 4 range from 0.23 acres to 0.42 acres with an **average lot size of 0.29 acres and an overall density of 3.46 lots per acre**. The proposed building setbacks, lot sizes, and home sizes meet the R-1a zoning district standards:

- **Front: 20 ft**
- **Rear: 30 ft**
- **Side: 5 ft** Min lot size: 10,000 sq ft (0.23 acres)
- Max building height: 2½ stories and 35 ft
- Min floor area: 2,100 sq ft for 1-story homes and 2,400 sq ft for 2-story homes

The applicant is proposing a 7.5 ft side yard setback standard for these lots.

Lots to the North: In comparison, the lots to the north of Area 4 range in size from 0.5 acres to 0.74 acres with an **average lot size of 0.61 acres and an overall density of 1.64 lots per acre**. These lots are zoned R-1 which requires the following setback and lot size standards:

- **Front: 35 ft**
- **Rear: 30 ft**
- **Side: 15 ft**
- Min lot size: 10,000 sq ft (0.23 acres)
- Max building height: 2½ stories and 35 ft
- Min floor area: 2,100 sq ft for 1-story homes and 2,400 sq ft for 2-story homes

Lots to the South: The lots to the south of Area 4 range in size from 0.34 acres to 0.47 acres with an **average lot size of 0.4 acres and an overall density of 2.52 lots per acre**. These lots are zoned R-1 which requires the following setback and lot size standards:

- **Front: 35 ft**
- **Rear: 30 ft**
- **Side: 15 ft**
- Min lot size: 10,000 sq ft (0.23 acres)
- Max building height: 2½ stories and 35 ft
- Min floor area: 2,100 sq ft for 1-story homes and 2,400 sq ft for 2-story homes





### **WATER AND SANITARY SEWER INFRASTRUCTURE**

The application includes conceptual plans for providing water and sanitary sewer service to each of the proposed new residential lots. The applicant will need to continue to work with the Northwest Cass County Water Resource District to obtain approval of their plans prior to approval of any plats and start of any construction. Special consideration needs to be given that the increase in water usage and sanitary sewer will not negatively impact existing lots and residents.

### **STORMWATER MANAGEMENT**

The applicant has provided a conceptual plan for the management of stormwater runoff from the new hard-surfaced areas being created by the new lots and street. Prior to the approval of any plats and start of any construction, the applicant must submit for review and approval, a stormwater management plan detailing how the stormwater will be managed and detained as necessary to not increase the rate of stormwater flow from their property from what is currently being discharged. An erosion control plan will further need to be provided in compliance with local and state laws.

### **BUILDING DESIGN STANDARDS**

The applicant has provided a Design Review Rules and Regulations document summarizing the proposed building setbacks, building design standards, site design standards, review and approval process, and construction regulations and hours. The applicant has further provided a map detailing the access locations for construction vehicles and equipment. These rules will need to be tied to these new lots as part of the plat approval.

### **HOMEOWNERS ASSOCIATION**

It is anticipated that these new lots may be incorporated into the existing Loch Lloyd Homes Association (South HOA). The applicant is encouraged to work with the HOA to obtain any required approvals including the dedication and acceptance of the proposed new private street.

### **MAINTENANCE OF THE SECHREST AND SURETY FOR IMPROVEMENTS**

The applicant has detailed the trails within the Sechrest that are to be preserved, modified, or removed, removal of the restrooms, and areas for new berming and landscaping. Portions of the Sechrest are proposed to be regraded to accommodate construction of the new lots and street. Prior to the approval of any plats and the start of any construction, the applicant should enter into an agreement with the Village to identify phasing and timing of the development and to guarantee the graded areas are restored and the proposed trail improvements, landscaping, and berming is constructed and installed in a timely manner. Additionally, this agreement needs to further ensure the remaining areas of the Sechrest are maintained to an appropriate level. This includes regular mowing and irrigation of lawn areas, control of weeds, and maintenance of the trees and sidewalks.

### **LAND USE MASTER PLAN**

The Village's adopted Land Use Master Plan identifies the entire Sechrest property as Recreation/Open Space. Should the Village desire to approve the requested rezoning, that action should include updating the master plan accordingly. Furthermore, as part of that decision making process, the following policies should be considered:

1. *Approval of any rezoning request within the Village of Loch Lloyd shall be contingent upon, among other things, (a) the determination by the Planning and Zoning Commission and the Village Board*



*of Trustees that the proposed rezoning is substantially consistent with the then-existing Master Plan and the Land Use Policies, or (b) the amendment of the Master Plan and the Land Use Policies to the extent necessary to permit the requested rezoning, subject to review by the Planning and Zoning Commission and the Village Trustees that the requested rezoning adequately addresses the issues identified in policies #2 and #3, and following applicable notice, meeting and other legal requirements.*

2. *All existing single-family residential lots that are adjacent to an existing area designated or zoned Recreational Open Space (ROS), should continue to have at least one side (front, side, or rear yard) that is adjacent to a designated open space such as a lake, golf course, or recreational space. The width of the open space area should be maximized to the greatest extent practical, with a strong preference for a minimum of 150 feet measured from lot line to adjoining residential lot line at the nearest point. The open space area should be designed with landscaping and berming, and the proposed adjoining residential dwellings designed and limited in height all to reduce the visual impact on the existing residential.*
3. *Prior to the approval of any rezoning or change to the adopted Future Land Use Master Plan, the following must be addressed:*
  - a. *Impacts on the character of existing adjoining residential areas.*
  - b. *Development densities, lot sizes, building setbacks, and site and building design standards, especially in consideration of adjoining residential areas.*
  - c. *Appropriate buffering and land use transitions between differing land uses.*
  - d. *Buffering and visual screening of existing residential properties.*
  - e. *Stormwater drainage and impacts on downstream properties.*
  - f. *Water volume capacity and water quality impacts on Loch Lloyd Lake.*
  - g. *Water service and impacts on water pressure.*
  - h. *Sanitary sewer service and capacity.*
  - i. *Vehicular circulation, traffic volumes, noise and light pollution, and physical impacts on existing streets.*
  - j. *Impacts on existing recreational facilities.*
  - k. *Proximity to existing or planned recreational facilities.*
  - l. *Pedestrian circulation.*
  - m. *Preservation of open space, natural features, wildlife, and topographic landforms.*
  - n. *Consideration of relevant HOA rules.*
  - o. *Mitigation of impacts to residents and Village infrastructure during construction.*

## **REZONING APPLICATION REQUIREMENTS**

The Village's adopted Unified Development Ordinance (UDO) does not specify any specific items that must be submitted as part of an application for rezoning. The Village's Zoning Administrator is responsible for providing the application form and for determining what information is required as part of such request. Zoning Administrator has reviewed the rezoning application and materials submitted by the applicant for this proposed rezoning and deemed the application complete. As noted in this report, the applicant has provided conceptual plans for the management of stormwater runoff and for the provision of water and sanitary sewer service. A more complete, professionally certified, storm water management plan and public improvement plans for stormwater facilities, water service, sanitary sewer service, and streets are required as part of the subdivision process and must be



approved prior to the start of any construction. Recommended conditions for approval to address these items have been included in the recommendation section of this report.

### APPROVAL PROCESS

Should the requested rezoning be approved, the application must submit a Preliminary Plat application along with plat maps and construction plans, for review and approval by the Planning and Zoning Commission and Board of Trustees, prior to the start of any grading or construction. This application includes a stormwater management plan, grading plan, and engineered plans for all new roads, sewers, and watermains. Prior to the sale of any lots and issuance of any building permits, a Final Plat application must be submitted for review and approval by the Planning and Zoning Commission and Board of Trustees. A final plat application can be submitted for all or a portion of the lots being developed in the case of a multi-phase plat.

### RECOMMENDATION

The author of this report recommends the Commission take action at this meeting by adopting a resolution for either approval or denial of the applicant's rezoning request to ensure compliance with the processing timeline set for by state code. Should the Planning and Zoning Commission decide to recommend approval of the requested rezoning, the author of this report recommends the Commission (1.) make a finding that the land use policies outlined in the adopted Land Use Master Plan and listed herein this report have been considered, (2.) recommend the Land Use Master Plan Map be updated to show the rezoning areas as Single Family Residential, and (3.) recommend the rezoning as detailed herein and as provided in the application be approved subject to the following conditions of approval:

1. Rezoning Area 1 being designated as R-1a Single Family Residential Zoning District with a minimum 10 ft side yard setback for lots fronting Country Club Drive, rezoning Areas 2 and 3 being designated as R-1 Single Family Residential Zoning District, and rezoning Area 4 being designated as R-1a Single Family Residential Zoning District with a minimum 7.5 ft side yard setback.
2. The applicant shall provide updated drawings that identify the bathroom and trails within the Center Cut area of the Sechrest as being preserved and maintained.
3. The lot layout plans, lot sizes, building setbacks, sidewalks and trail improvements, landscaping and berming plans, building and site design regulations, and limitations on construction activities and access routes, as provided in the rezoning application, are approved as a condition to this rezoning.
4. Prior to the approval of any plats and the start of any construction, the applicant shall enter into an agreement with the Village of Loch Lloyd to (1.) identify phasing and timing of the development, (2.) provide financial surety to guarantee the graded areas are restored and the proposed trail improvements, landscaping, and berming is constructed and installed in a timely manner, and (3.) provide a guarantee the remaining areas of the Sechrest are maintained to an appropriate level including regular mowing and irrigation of lawn areas, control of weeds, and maintenance of the trees and sidewalks.



5. Prior to the approval of any plats and the start of any construction, the applicant shall obtain approval from the Northwest Cass County Water Resource District for the sanitary sewer and water service plans and ensure said plans do not negatively impact service to existing residents.
6. Prior to the approval of any plats and the start of any construction, the applicant shall work with the Blue Bird Committee to find mutually acceptable locations for any existing birdhouses that must be moved due to construction.
7. Prior to the approval of any plats and the start of any construction, the applicant shall work with the property owners along the west side of Grace Drive near the intersection of the new street proposed for Area 4 to provide landscaping as may be necessary to screen the headlights of cars as they enter Grace Drive from the new street.
8. Prior to the start of any construction or issuance of any building permits, the applicant shall submit the required Preliminary Plat and Final Plat applications, plat maps, stormwater management plan, erosion control plan, grading plan, construction plans, and other documentation as required and obtain approvals for the same from the Village Board of Trustees following review by the Village Planning and Zoning Commission.
9. The applicant and developer shall agree to monitor the streets being used for construction access and agree to remove any soil or debris deposited on the streets and repair any damage to the streets as a result of construction activity.
10. Should the developer fail to submit the required plat applications, fail to obtain plat approval, and/or fail to begin construction of the plat improvements within 1 year after the date of the approval of the rezoning, the Board of Trustees may, at its sole discretion, pass a motion to direct the Village Clerk to begin the process of reconsidering this area for a rezoning back to the original ROS designation following the required public notice and hearings.

Attached as Exhibit 2 is a resolution for the Commission's use.

*Respectfully submitted by Christopher Shires, AICP, Principal, Confluence, Inc.  
Planning Consultant for the Village of Loch Lloyd*



## EXHIBIT 1

### REZONING APPLICATION

A copy of the rezoning application is available on the Village Website at:  
[www.villageoflochloyd-mo.org](http://www.villageoflochloyd-mo.org)



**EXHIBIT 2**

**RESOLUTION NO:** \_\_\_\_\_

**A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE VILLAGE OF LOCH LLOYD, MISSOURI, RECOMMENDING APPROVAL OF THE REZONING OF LAND WITHIN THE VILLAGE OF LOCH LLOYD, MISSOURI**

**WHEREAS**, the Village of Loch Lloyd, Missouri (the "Village") has received an application from the property owner, S9-Redev, LLC, requesting that portions of their 74.9 acre property, generally described as all of Lot 19, Block 7 and portions of Tracts B, G, E, and I, of Loch Lloyd – First Plat, a subdivision within the Village of Loch Lloyd, Cass County, Missouri, and locally known as the Sechrest, be rezoned from Recreational and Open Space District (ROS) to Single Family Residential District (R-1) to accommodate the platting and development of 48 single family residential lots (see Attachment A for legal description of rezonings); and,

The remaining areas of the Sechrest, including the areas identified as common area to be platted as tracts, would remain as currently zoned, ROS.

**WHEREAS**, the planning consultant hired on the behalf of the Village of Loch Lloyd, has reviewed this request and drafted two staff reports to the Planning and Zoning Commission that are dated October 10, 2024, and December 5, 2024; and,

**WHEREAS**, the Commission has considered the policies contained within the Village's adopted Land Use Master Plan; and,

**WHEREAS**, the Commission recommends the Village's adopted Land Use Master Plan Map be updated, as part of this approval, to show the rezoning areas as Single Family Residential; and,

**WHEREAS**, on October 10, 2024, the Commission, after a duly called and noticed public hearing in accordance with the Village of Loch Lloyd's Unified Development Code, and after considering the views of all those who came before it, adopted a motion to continue the public hearing to a future meeting date and requested the applicant provide certain additional information.

**WHEREAS**, the applicant responded to the Commission's request with a letter dated October 17, 2024, requesting the Commission take action of their application as presented.

**WHEREAS**, the Commission was provided with an updated staff report, dated December 5, 2024, that included additional information analyzing the proposed lot sizes, densities, and building setbacks in comparison to the existing lots within the general vicinity.



**WHEREAS**, on December 5, 2024, the Commission, after a duly called and noticed public hearing in accordance with the Village of Loch Lloyd’s Unified Development Code, and after considering the views of all those who came before it, voted to recommend approval of the rezoning subject to conditions of approval.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE VILLAGE OF LOCH LLOYD, MISSOURI AS FOLLOWS:**

**SECTION 1.** The land use master plan policies outlined in the adopted Land Use Master Plan and listed in the staff report to the Commission dated December 5, 2024, have been considered.

**SECTION 2.** Land Use Master Plan Map is recommended to be updated to show the rezoning areas as Single Family Residential as part of this rezoning approval.

**SECTION 3.** The proposed rezoning as detailed in the staff report to the Commission dated December 5, 2024, and as provided in the application, is recommended be approved subject to the following conditions of approval:

1. Rezoning Area 1 being designated as R-1a Single Family Residential Zoning District with a minimum 10 ft side yard setback for lots fronting Country Club Drive, rezoning Areas 2 and 3 being designated as R-1 Single Family Residential Zoning District, and rezoning Area 4 being designated as R-1a Single Family Residential Zoning District with a minimum 7.5 ft side yard setback.
2. The applicant shall provide updated drawings that identify the bathroom and trails within the Center Cut area of the Sechrest as being preserved and maintained.
3. The lot layout plans, lot sizes, building setbacks, sidewalks and trail improvements, landscaping and berming plans, building and site design regulations, and limitations on construction activities and access routes, as provided in the rezoning application, are approved as a condition to this rezoning.
4. Prior to the approval of any plats and the start of any construction, the applicant shall enter into an agreement with the Village of Loch Lloyd to (1.) identify phasing and timing of the development, (2.) provide financial surety to guarantee the graded areas are restored and the proposed trail improvements, landscaping, and berming is constructed and installed in a timely manner, and (3.) provide a guarantee the remaining areas of the Sechrest are maintained to an appropriate level including regular mowing and



irrigation of lawn areas, control of weeds, and maintenance of the trees and sidewalks.

5. Prior to the approval of any plats and the start of any construction, the applicant shall obtain approval from the Northwest Cass County Water Resource District for the sanitary sewer and water service plans and ensure said plans do not negatively impact service to existing residents.
6. Prior to the approval of any plats and the start of any construction, the applicant shall work with the Blue Bird Committee to find mutually acceptable locations for any existing birdhouses that must be moved due to construction.
7. Prior to the approval of any plats and the start of any construction, the applicant shall work with the property owners along the west side of Grace Drive near the intersection of the new street proposed for Area 4 to provide landscaping as may be necessary to screen the headlights of cars as the enter Grace Drive from the new street.
8. Prior to the start of any construction or issuance of any building permits, the applicant shall submit the required Preliminary Plat and Final Plat applications, plat maps, stormwater management plan, erosion control plan, grading plan, construction plans, and other documentation as required and obtain approvals for the same from the Village Board of Trustees following review by the Village Planning and Zoning Commission.
9. The applicant and developer shall agree to monitor the streets being used for construction access and agree to remove any soil or debris deposited on the streets and repair any damage to the streets as a result of construction activity.
10. Should the developer fail to submit the required plat applications, fail to obtain plat approval, and/or fail to begin construction of the plat improvements within 1 year after the date of the approval of the rezoning, the Board of Trustees may, at its sole discretion, pass a motion to direct the Village Clerk to begin the process of reconsidering this area for a rezoning back to the original ROS designation following the required public notice and hearings.





**PASSED AND APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE VILLAGE OF LOCH LLOYD, MISSOURI, THIS 10TH DAY OF OCTOBER 2024.**

---

Chuck Etherington  
Chairperson

**ATTEST:**

---

Anthony Lafata  
Village Clerk



## ATTACHMENT A

### LEGAL DESCRIPTIONS

#### AREA 1

All that part of Tract B, LOCH LLOYD - FIRST PLAT, lying South of Suffolk Lane, a private drive, as now established, and lying Southeasterly of Country Club Drive, a private drive, as now established, all in the Northeast Quarter of Section 8, Township 46 North, Range 33 West, in the Village of Loch Lloyd, Cass County, Missouri, being more particularly described by Edward K. Dannewitz, LS-2664 on this 21st day of June, 2024, as follows:

(Note: The bearing system in the following description is based on Grid North, Missouri State Plane Coordinate System, West Zone, NAO 83.)

Beginning at the Southeast corner of LOCH LLOYD, PHASE 1-82, a subdivision in the Village of Loch Lloyd, Cass County, Missouri, according to the recorded plat thereof, also being the intersection of the West right-of-way line of Holmes Road, as it currently exists, with the South Line of said Suffolk Lane; thence S 06°01'26" W with said West right-of-way line of Holmes Road, a distance of 25.43 feet to the Northeast corner of Tract II of Warranty Deed recorded in Book 203 at Page 18; thence N 39°03'28" W, with the North line of said Tract II of Warranty Deed recorded in Book 2032 at Page 18, a distance of 15.73 feet to the Northwest corner of said Tract II; thence S 06°01'26" W with the West line of said Tract II of Warranty Deed recorded in Book 2032 at Page 18, a distance of 74.89 feet; thence continuing with said West line of Tract II, S 06°01'12" W, a distance of 97.18 feet; thence N 75°49'22" W and no longer with said West line of Tract II, a distance of 100.73 feet; thence N 76°34'10" W, a distance of 89.64 feet; thence N 75°59'54" W, a distance of 85.20 feet; thence N 75°45'48" W, a distance of 82.46 feet; thence N 74°47'27" W, a distance of 88.46 feet; thence N 75°21'09" W, a distance of 64.00 feet; thence S 37°23'04" W, a distance of 111.11 feet; thence S 47°23'08" W, a distance of 103.28 feet; thence S 54°12'59" W, a distance of 103.76 feet; thence S 57°40'06" W, a distance of 107.61 feet; thence S 68°03'54" W, a distance of 109.05 feet; thence S 09°45'51" W, a distance of 92.88 feet; thence S 35°22'27" West, a distance of 73.66 feet; thence S 23°00'20" W, a distance of 14.99 feet; thence S 05°27'52" W, a distance of 58.16 feet; thence S 01°30'11" W, a distance of 62.15 feet; thence S 04°44'12" E, a distance of 63.92 feet; thence S 13°49'12" E, a distance of 75.09 feet; thence S 68°49'47" W, a distance of 149.85 feet, to a point in the Southeasterly line of said Country Club Drive, as it currently exists; thence Northeasterly with said Southeasterly line of Country Club Drive, on a curve to the right, having a Chord Bearing of N 15°26'34" East, a Chord Distance of 203.43 feet, a Radius of 382.00 feet, an Arc Distance of 205.92 feet; thence Northeasterly, continuing with said Southeasterly line of Country Club Drive, on of a curve to the right, having a Chord Bearing of N 09°17'34" East, a Chord Distance of 154.05 feet, a Radius of 477.00 feet, an Arc Distance of 154.73 feet; thence N 18°35'07" East, continuing with said Southeasterly line of Country Club Drive, a distance of 33.98 feet; thence Northeasterly, along a curve to the right, continuing along said Southeasterly line of Country Club Drive, having a Chord Bearing of N 31°21'58" E, a Chord Distance of 97.34 feet, a Radius of 220.00 feet, an Arc Distance of 98.15 feet; thence N 44°08'49" East, continuing along said Southeasterly line of Country Club Drive a distance of 43.29 feet; thence Northeasterly, along a curve to the left, continuing along said Southeasterly line of Country Club Drive, having a Chord Bearing of N 42°33'19" E, a Chord Distance of 101.69 feet, a Radius of 1830.28 feet, an Arc Distance of 101.70 feet; thence



Northeasterly continuing with said Southeasterly line of Country Club Drive, on the arc of said curve to the right, having a Chord Bearing of N 47°06'30" East, a Chord Distance of 36.40 feet, a Radius of 170.00 feet, and Arc Distance of 36.47; thence N 53°15'12" E continuing with said Southeasterly line of Country Club Drive, a distance of 244.87 feet; thence Northeasterly continuing with said Southeasterly line of Country Club Drive, Having a Chord Bearing of N 41°21'32" E, a Chord Distance of 321.53 feet, a Radius of 780.00 feet, an Arc Distance of 323.86 feet to the intersection with said South line of Suffolk Lane; thence S 63°27'42" E along said South line of Suffolk Lane, a distance of 30.02 feet; thence Easterly, continuing along said South line of Suffolk Lane, on a curve to the left, having a Chord Bearing of S 70°02'35" E, a Chord Distance of 52.72 feet, a Radius 230.00 feet, an Arc Distance of 52.84 feet; thence continuing along said South line of Suffolk Lane, S 76°37'32" E, a distance of 316.39 feet to a point of curvature; thence Easterly, continuing with said South line of Suffolk Lane, on a curve to the left, having a Chord Bearing of S 80°18'14" E, a Chord Distance of 100.08 feet, a Radius of 780.00 feet, an Arc Distance of 100.15 feet; thence continuing with said South line of Suffolk Lane, S 83°58'56" E, a distance of 84.16 feet to the Point of Beginning. The above- described tract contains 254,656.29 square feet, or 5.85 acres, more or less.

## AREA 2

All of Lot 19, Block 7 and all that part of Tract G, LOCH LLOYD - FIRST PLAT, a subdivision in the Village of Loch Lloyd, Cass County, Missouri, according to the recorded plat thereof, lying South of Highland Ridge, a private drive, as now established, and lying Westerly of Country Club Drive, a private drive, as now established, all in the Northeast Quarter of Section 8, Township 46 North, Range 33 West, being more particularly described by Edward K. Dannewitz, LS 2664 on this 24th day of June, 2024, as follows:

(Note: The bearing system in the following description is based on Grid North, Missouri State Plane Coordinate System, West Zone, NAO 83.)

Beginning at the Northwest corner of said Lot 19, Block 7, LOCH LLOYD - FIRST PLAT at a point of curvature; thence Easterly and Southeasterly with the Northerly line of said Lot 19, along a curve to the right, having a Chord Bearing of S 89°34'54" E, a Chord Distance of 158.80 feet, a Radius of 290.00 feet, and Arc Distance of 160.86 feet; thence Southeasterly, continuing along said Lot 19 and the Northerly line of said Tract G, along a curve to the right, having a Chord Bearing of S 46°44'58" E, a Chord Distance of 231.98 feet, a Radius of 256.00 feet, an Arc Distance of 231.98 feet; thence Southerly, along the Easterly line of said Tract G, along a curve to the right, having a Chord Bearing of S 09°17'40" East, a Chord Distance of 178.81 feet, a Radius of 490.00 feet, an Arc Distance of 179.81 feet; thence S 01°13'08" W continuing with said Easterly line, a distance of 140.69 feet; thence Southerly, along a curve to the left, having a Chord Bearing of S 00°00'48" East, a Chord Distance of 9.89 feet, a Radius of 230.00 feet, and Arc Distance of 9.89 feet, to the Northeast corner of Lot 20, Loch Lloyd Phase Three-Replat, Block 7, a subdivision in the Village of Loch Lloyd, Cass County, Missouri, according to the recorded plat thereof; thence S 88°45'15" W, along the Northerly line of said Lot 20 and its extension thereof, a distance of 140.00 feet; thence N 01°55'25" W, a distance of 129.56 feet; thence N 06°58'57" W, a distance of 112.65 feet; thence N 17°54'54" West, a distance of 76.67 feet; thence N 61°27'13" W, a distance of 73.35 feet; thence N 66°28'43" W, a distance of 55.24 feet to the Southwesterly corner of said Lot 19, Block 7; thence N 26°27'18" W with the Westerly line of said Lot 19, a distance of 134.05 feet to the Point of Beginning. The above-described tract contains 86,168.26 square feet, or 1.98 acres, more or less.



### AREA 3

All that part of Tract E, LOCH LLOYD - FIRST PLAT, according to the recorded plat thereof, lying South of NO NAME ROAD, a private drive, as now established and described in Warranty Deed recorded in Book 4096 at Page 153, lying Westerly of HIGHLAND RIDGE, a private drive, as now established, lying North of lots 27 thru 29, Block 9, LOCH LLOYD- FIRST PLAT, and lying East of Lots 1-A2-24 and 1-A2-25, LOCH LLOYD, PHASE 1-A2, according to the recorded plat thereof, all in the North Half of Section 8, Township 46 North, Range 33 West, in the Village of Loch Lloyd, Cass County, Missouri, being more particularly described by John Aaron Copelin, LS-2005019232 on this 7th day of December 2022, as follows:

(Note: The bearing system in the following description is based on Grid North, Missouri State Plane Coordinate System, West Zone, NAO 83. Holding the bearing of East Line of Lot 1-A2-24, LOCH LLOYD, PHASE 1-A2.)

Beginning at the Northeast corner of said Lot 27, Block 9, LOCH LLOYD - FIRST PLAT; thence N 82°31'53" W (N 82°35'35" W= Plat) with the North line of said lots 27 and 28, Block 9, LOCH LLOYD - FIRST PLAT, a distance of 340.02 feet (340.00'= Plat) to the Northeast corner of said Lot 29, Block 9, LOCH LLOYD - FIRST PLAT; thence N 85°13'18" W (N 85°04'33" W= Plat) with the North line of said Lot 29, Block 9, LOCH LLOYD - FIRST PLAT, a distance of 164.58 feet; thence S 58°57'17" W (S 59°09'23" W= Plat) continuing with the North line of said Lot 29, Block 9, LOCH LLOYD - FIRST PLAT, a distance of 34.76 feet (34.81'= Plat) to the Southeast corner of said Lot 1-A2-25, LOCH LLOYD, PHASE 1-A2; thence N 00°08'20" W (N 00°09'12" W= Plat) with the East line of said Lot 1-A2-25, LOCH LLOYD, PHASE 1-A2, a distance of 211.01 feet (210.54'= Plat) to the Southeast corner of said Lot 1-A2-24, LOCH LLOYD, PHASE 1-A2; thence N 01°37'17" E with the East line of said Lot 1-A2-24, LOCH LLOYD, PHASE 1-A2 and the East line of said Warranty Deed recorded in Book 4096 at Page 153, a distance of 148.95 feet (148.97'= Plat+ Deed); thence S 86°13'57" E (S 86°16'02" E= Deed), this and the following five courses with the Southerly line of said Warranty Deed recorded in Book 4096 at Page 153, a distance of 17.68 feet (17.60'= Deed) to a point of curvature; thence Easterly and Southeasterly, continuing with said Southerly line of Deed, on the arc of a curve to the right, having a radius of 100.00 feet, an arc length of 90.88 feet, a chord bearing of S 60°11'49" E and a chord distance of 87.79 feet; thence S 34°09'38" E (S 34°11'43" E= Deed), continuing with said Southerly line of Deed, a distance of 39.53 feet to a point of curvature; thence Southeasterly and Easterly, continuing with said Southerly line of Deed, on the arc of a curve to the left, having a radius of 316.00 feet, an arc length of 285.68 feet, a chord bearing of S 60°03'35" E and a chord distance of 276.05 feet; thence S 85°57'34" E (S 85°59'39" E= Deed), continuing with said Southerly line of Deed, a distance of 135.16 feet; thence S 84°01'18" E (S 84°03'23" E= Deed), continuing with said Southerly line of Deed, a distance of 58.71 feet to the Southeast corner of said Warranty Deed recorded in Book 4096 at Page 153, also being a point in the West right-of-way of said Highland Ridge; thence S 07°09'36" W (S 07°07'31" W= Plat) with said West right-of-way line of Highland Ridge, a distance of 170.29 feet to the Point of Beginning. The above-described tract contains 115,126 square feet, or 2.64 acres, more or less.

### AREA 4

All that part of Tract I, LOCH LLOYD - FIRST PLAT, a subdivision in the Village of Loch Lloyd, Cass County, Missouri, according to the recorded plat thereof, lying Easterly of GRACE DRIVE, a private drive, all in



the Northeast Quarter of Section 8, Township 46 North, Range 33 West, being more particularly described by Edward K. Dannewitz, LS- 2664 on this 24th day of June, 2024, as follows:

(Note: The bearing system in the following description is based on Grid North, Missouri State Plane Coordinate System, West Zone, NAO 83. Holding the bearing of Northerly Line of Tract G, LOCH LLOYD - FIRST PLAT.)

Commencing at the Northeast corner said Lot 6, THE MEADOWS AT LOCH LLOYD PHASE 7, a subdivision in the Village of Loch Lloyd, Cass County Missouri, according to the recorded plat thereof; thence N 86°41'25" W, along the Northerly line of The Meadows at Loch Lloyd Phase 7, a subdivision in the Village of Loch Lloyd, Cass County Missouri, according to the recorded plat thereof, a distance of 205.01 feet; thence S 70°00'29" W, continuing along said Northerly line, a distance of 180.81 feet to the Easterly right-of-way line of Grace Drive, as it currently exists; thence N 06°50'51" W, along said Easterly right-of-way line, a distance of 53.71 feet; thence Northerly, continuing along said Easterly right-of-way line, along a curve to the right, having a Chord Bearing of N 09°15'26" E, a Chord Distance of 274.62 feet, a Radius of 495.00 feet, an Arc Distance of 274.62 feet; thence Northerly, continuing along said Easterly right-of-way line, along a curve to the right, having a Chord Bearing of N 26°53'07" E, a Chord Distance of 14.36 feet; a Radius of 270.00 feet, an Arc Distance of 14.36 feet; thence Easterly, along a curve to the left, having a Chord Bearing of S 19°35'36" E, a Chord Distance of 13.38 feet, a Radius of 9.00 feet, an Arc Distance of 15.08 feet; thence S 67°35'43" E, a distance of 19.03 feet; thence Easterly, along a curve to the left, having a Chord Bearing of S 80°14'29" E, a Chord Distance of 249.58 feet, a Radius of 570.00 feet, an Arc Distance of 251.61 feet; thence Easterly, along a curve to the right, having a Chord Bearing of S 82°10'27" E, a Chord Distance of 197.04 feet, a Radius of 530.00 feet, an Arc Distance of 198.20 feet; thence Easterly, along a curve to the left, having a Chord Bearing of S 85°09'06" E, a Chord Distance of 246.14 feet, a Radius of 520.00 feet, an Arc Distance of 248.50 feet; thence Easterly, along a curve to the right, having a Chord Bearing of N 87°17'22" E, a Chord Distance of 326.83 feet, a Radius of 1530.00 feet, an Arc Distance of 327.46 feet; thence N 02°08'23" E, a distance of 157.27 feet; thence S 87°35'51" E, a distance of 86.64 feet; thence S 86°44'07" E, a distance of 81.25 feet; thence S 86°58'15" E, a distance of 80.63 feet; thence S 86°18'31" E, a distance of 96.82 feet; thence S 86°32'11" E, a distance of 94.65 feet; thence S 65°25'42" E, a distance of 85.38 feet to Westerly right-of-way line of Missouri State Highway Route D (Holmes Road) as it currently exists; thence S 09°28'40" W, along said Westerly right-of-way line, a distance of 191.13 feet; thence S 03°41'01" W, continuing along said Westerly right-of-way line, a distance of 170.40 feet to the Southerly line of the Northeast Quarter of said Section 8; thence N 86°41'25" W, along said Southerly line, a distance of 1187.04 feet to the Point of Beginning. The above-described tract contains 434,943.36 square feet, or 9.97 acres, more or less.



EXHIBIT 3

LETTER FROM THE APPLICANT PRESENTED AT THE  
OCTOBER 10, 2024 PLANNING AND ZONING COMMISSION HEARING

October 10, 2024

The Village of Loch Lloyd  
Planning and Zoning Board

Subject: *Development Agreement Regarding "The Center Cut" – Sechrest Development*

Dear Members of the Planning and Zoning Board,

This letter serves to confirm that, subject to the final plat approval of the Sechrest Development and fully executed agreement with the HOA, I, Brian Illig, owner of S9 Redev, LLC, the developer of the Sechrest project and current owner of the parcel of land known as "The Center Cut," hereby agree that I will not pursue any residential development activities on "The Center Cut" as long as I retain ownership of the property, aside from lots 18S-23S illustrated on this rezoning request.

This commitment is made in the interest of aligning the development with community expectations and addressing concerns raised during the planning process.

Sincerely,

Brian C. Illig

A handwritten signature in blue ink, appearing to read "Brian C. Illig". The signature is stylized and written in a cursive-like font.



#### EXHIBIT 4

### LETTER FROM THE APPLICANT DATED OCTOBER 17, 2024 IN RESPONSE TO OCTOBER 10, 2024 PLANNING AND ZONING COMMISSION MEETING

October 17, 2024

Chris Shires, City Planning Consultant [via electronic mail: [cshires@thinkconfluence.com](mailto:cshires@thinkconfluence.com)]  
Jonathan Zerr, City Attorney [via electronic mail: [jsz@kapkewillerth.com](mailto:jsz@kapkewillerth.com)]  
Village of Loch Lloyd

*Re: Rezoning Request for The Sechrest Development Proposal*

Dear Mr. Shires and Mr. Zerr,

I am writing on behalf of S9-Redev, LLC as a follow up to the Planning and Zoning (“P&Z”) meeting held on October 10, 2024, regarding the rezoning application for The Sechrest Development proposal. The purpose of this correspondence is to address several issues raised at the meeting and request next steps to address our rezoning application.

First, we greatly appreciate your and The Village's thorough review of our application. Based on the approval recommendation contained in the staff report and our understanding of the application requirements, it is our position that our application is complete, and all required materials were submitted in accordance with the established guidelines and ordinances. Because of this, we decline to conduct any additional studies or submit further documentation as requested by the P&Z Committee. That said, we fully intend to provide additional information relating to storm water retention, sanitary sewer and water systems during the plat approval process with The Village.

Specifically, with respect to storm water, as discussed in the P&Z meetings, our engineer will provide a thorough storm water study following Section 5600 of the American Public Works Association guidelines. These are the same guidelines we have followed for every development within The Village, and they have provided solutions in every instance.

With respect to sanitary sewer and water, in our conversation with the Northwest Cass County Water Resource District (“the Water District”), we were made aware of existing conditions related to the sanitary sewer system; specifically, the lift station located above The Cove. To remedy this issue, we have agreed to financially assist the Water District in bringing this lift station into compliance conditioned upon final plat approval of the Sechrest Development. This also applies to the water system and implementation of a booster pump. Our agreement with the Water District will mirror a similar agreement we executed related to the 16” water line which brought KCMO water to Loch Lloyd.

Second, a suggestion was made at the meeting that the rezoning application cannot move forward without the “approval” of the South Homes Owners Association (“SHOA”). As an initial matter, the SHOA cites no authority for their position, either in their written brief or oral presentation. Moreover, after thoroughly reviewing all relevant ordinances and rules, it is clear the SHOA does not possess any voting rights or other approval authority in connection with rezoning requests. We have also confirmed that SHOA approval was never sought or given for any of the other rezoning applications we have submitted over the course of the past several years. Accordingly, we request



the Village instruct the P&Z Committee that any consideration of the SHOA's position would be both arbitrary and capricious.

With respect to the SHOA's attempted involvement in this matter, we would like to address another issue which arose concerning the "conditions" contained in the staff report. Specifically, Section 3 paragraph 7 states in relevant part:

Prior to the approval of any plats and the start of any construction, the applicant and the developer shall work with the SHOA to find a mutually acceptable plan regarding access and use of the SHOA-owned roads during construction...

While the P&Z Committee may construe this as a condition to approval of the rezoning request, its language clearly provides that the developer shall work with the SHOA "*prior to the approval of any plats and the start of any construction.*" This is **not** a requirement for the approval of the rezoning application, as it does not involve plat approval. Moreover, the Sechrest property is not encumbered by any HOA's CC&R's, which means that selection of an HOA to manage the development long term has not yet been determined. Therefore, any suggestion that we are required to work with the SHOA is, at best, premature. Accordingly, we request the committee be advised that this "condition" is not a requirement for approval of the rezoning application approval.

Based on the foregoing discussion and analysis, we respectfully request the following:

1. The Village schedule another P&Z meeting on or before November 13<sup>th</sup>, 2024, to vote on its recommendation regarding our rezoning request.
2. The Village Board of Trustees schedule a meeting as soon as possible following the P&Z meeting – or on the same day if possible – so that it may vote on the rezoning request.
3. Finally, given the SHOA's actions in attempting to delay the entirety of the Sechrest development project, including its recent attempts to derail the rezoning process, we respectfully request that the timeline set forth in Section 3, Paragraph 8 be extended from one (1) to two (2) years.

Thank you for your continued assistance. We look forward to the next steps.

Sincerely,

Brent Draper  
Director, Real Estate Development  
S9-Redev, LLC