



**STAFF REPORT TO THE BOARD OF TRUSTEES**  
**FEBRUARY 19, 2025 MEETING**  
**AGENDA ITEM: 5a. REZONING OF LAND AND VACATION OF EASEMENT**

**BACKGROUND**

Brett and Nicole Glass, owners of Lot 1 of Mill Creek Woods, an official plat within the Village of Loch Lloyd (an 8.75-acre parcel located at 16426 W. Loch Lloyd Parkway), have submitted an application requesting this property be rezoned from Recreational and Open Space District (ROS) to Single Family Residential District (R-1) to accommodate the development of one single family residential dwelling. The applicant is also requesting the vacation of an existing 60-foot-wide road and utility easement located along the south 60 feet of said Lot 1, Mill Creek Woods, and the vacation of an existing 60-foot-wide road and utility easement centered along the east line of Lot 1, Mill Creek Woods (see Exhibit 1 – Location Map).

**Planning and Zoning Commission Action**

On February 12, 2024, the Village Planning and Zoning Commission held a public hearing on this rezoning request and easement vacation. At this hearing, the applicant stated they were in agreement with the recommended conditions of approval. The Commission adopted a resolution recommending approval of the rezoning and easement vacation as proposed subject to the conditions listed in this staff report.

**Minor Plat**

The applicant is proposing to merge this parcel with a portion of an existing, vacant and platted single-family lot to the north (Lot 2 of Loch Lloyd North – Phase A). This lot will be used for driveway access to access the existing water and sewer service taps (see Exhibit 2 – Site Plan). A portion of this existing lot will be merged with the neighboring, vacant lot to its east (Lot 1 of Loch Lloyd North – Phase A).

Since the parcel proposed to be rezoned will be using existing water and sewer connections for Lot 2 of Loch Lloyd North – Phase A and there is no net increase in the number of buildable lots, no analysis of the sanitary sewer and water service was required. As part of the minor plat application, the applicant did provide a stormwater analysis. There are no proposed public improvements and there are no public improvement plans required.

If the rezoning is approved, the applicant will need to obtain approval of a minor plat to merge these two parcels prior to the issuance of a building permit. Per the Unified Development Ordinance of the Village of Loch Lloyd, a minor plat such as this can be administratively reviewed and approved by the Village Clerk following approval of the proposed rezoning (see Exhibit 3 – Minor Plat).

Both of these Lots 1 and 2 of Loch Lloyd North – Phase A are currently zoned Planned Residential Development (PRD) and they will retain that zoning after the replatting. Any improvements constructed within these original lot areas will need to follow the setbacks of the PRD zoning district.



However, the proposed new house is planned to be constructed on the larger lot to the south, following the R-1 zoning district setbacks.

### **Vacation of Easements**

There are no roads constructed or planned to be constructed within the existing 60-foot-wide road and utility easements areas requested to be vacated, and the applicant's engineer has completed a survey and found no existing utilities within these easement areas that are not otherwise covered by separate utility easements. In review of the adjoining plat to the north, similar 60-foot-wide road and utility easements were previously vacated. It does not appear that these easements are needed to provide access and services to any of the adjoining properties nor are they needed to accommodate future development within the Village. Notice of this vacation request was sent to relevant utility companies and to Cass County. We have received one response to the notice of the vacation from Spire Energy noting they have no objections to this easement vacation.

### **Land Use Master Plan**

The Village's adopted Land Use Master Plan identifies this property as single family residential and a rezoning to R-1 as proposed is consistent with the Master Plan (see Exhibit 4 – Land Use Master Plan). In consideration of the planned merger of this parcel with the vacant single-family lot to the north, there is no increase in the number of buildable parcels (see Exhibit 5 – Zoning Map).

### **Public Hearing Notices**

In accordance with state statutes and the Unified Development Ordinance of the Village of Loch Lloyd, notice of this public hearing was published in the North Cass Herald on January 22, 2025. Notice of this hearing was sent by regular mail to all property owners of record within 185 feet of this property. Notice of this hearing and the requested vacation of the existing 60-foot-wide road and utility easements was mailed to all relevant utility companies and to Cass County.

## **RECOMMENDATION**

### **Findings**

The proposed rezoning is consistent with the Village's adopted Land Use Master Plan map and policies, and the easement areas requested to be vacated are not needed to provide access and services to any of the adjoining properties nor are they needed to accommodate future development within the Village.

### **Conditions of Approval**

Based upon the above findings, the Planning and Zoning Commission recommends approval of the proposed rezoning and easement vacation subject to the following conditions.

1. The applicant shall obtain approval from the Village and record with the County a minor plat merging this 8.75-acre parcel, Lot 1 of Mill Creek Woods, with a portion of Lot 2 of Loch Lloyd North – Phase A.



2. The applicant shall pay all application fees and costs incurred by the Village for the processing and review of this application.

Attached as Exhibit 6 is an ordinance for the Board's consideration.

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

## EXHIBITS

- Exhibit 1 – Location Map
- Exhibit 2 – Site Plan
- Exhibit 3 – Minor Plat
- Exhibit 4 – Land Use Master Plan
- Exhibit 5 – Zoning Map
- Exhibit 6 – Ordinance



EXHIBIT 1 - LOCATION MAP



  
Milburn Civil Engineering, LLC  
MILBURN CIVIL ENGINEERING, LLC  
33135 W 83RD STREET  
DE SOTO, KS 66018  
913-583-0367

**GLASS RESIDENCE EASEMENT VACATIONS  
LOCATION MAP  
16426 W LOCH LLOYD PKWY  
LOCH LLOYD, MO**

  
Know what's below.  
Call before you dig.











KANSAS CITY

BELTON










STILWELL

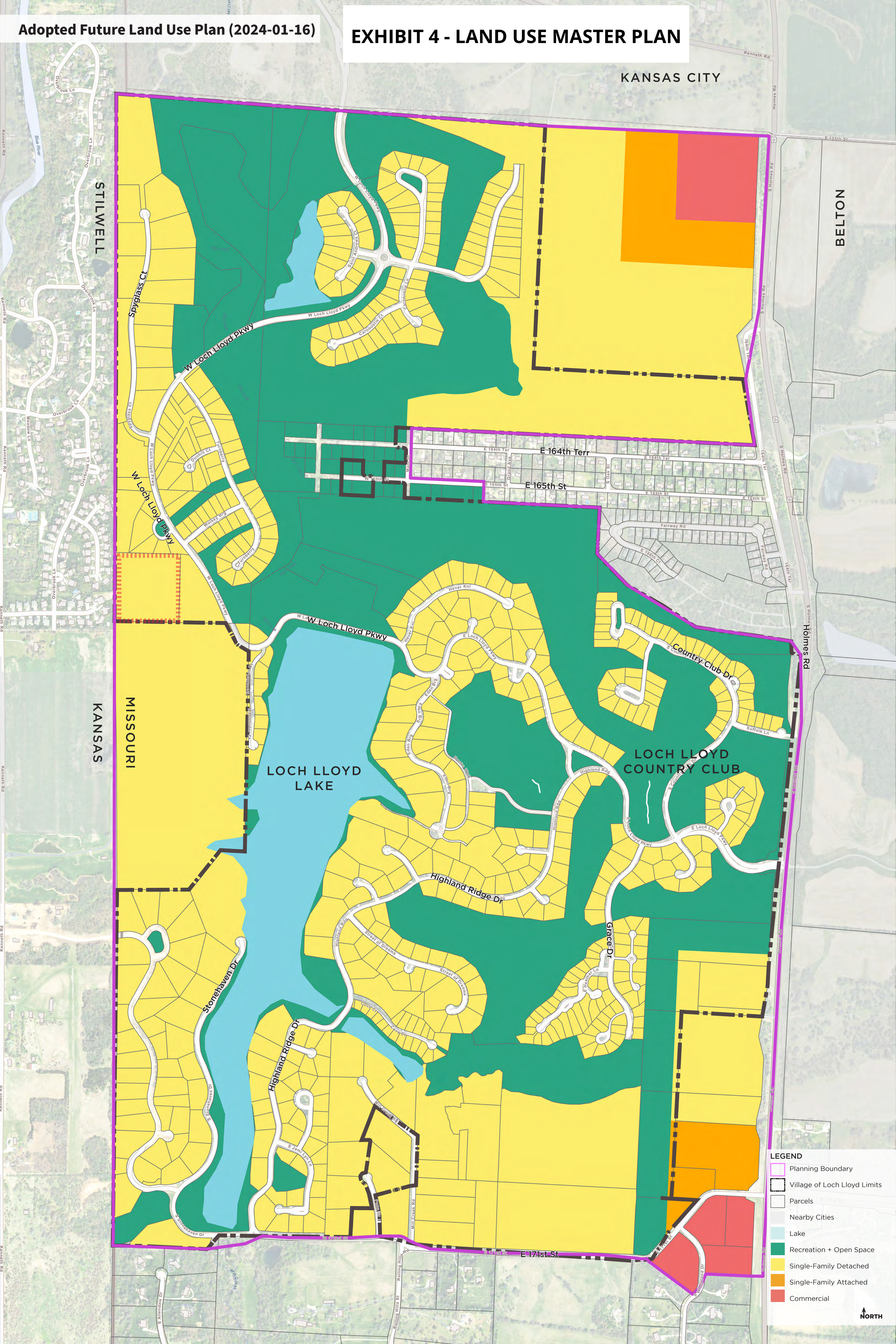
KANSAS

MISSOURI

LOCH LLOYD LAKE

LOCH LLOYD COUNTRY CLUB

- LEGEND**
-  Planning Boundary
  -  Village of Loch Lloyd Limits
  -  Parcels
  -  Nearby Cities
  -  Lake
  -  Recreation + Open Space
  -  Single-Family Detached
  -  Single-Family Attached
  -  Commercial





LEGEND

- Village of Loch Lloyd Limits
- Parcels
- R1
- R1A
- R1AA
- R1B
- Planned Residential Development
- Recreational Open Space
- Waterbody
- 300' Residential Buffer
- Unzoned





**EXHIBIT 6**

**ORDINANCE NO: \_\_\_\_\_**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE VILLAGE OF LOCH LLOYD, MISSOURI, APPROVING THE REZONING OF LAND AND THE VACATION OF AN EXISTING 60-FOOT-WIDE ROAD AND UTILITY EASEMENT WITHIN THE VILLAGE OF LOCH LLOYD, MISSOURI.**

**WHEREAS**, the Village of Loch Lloyd, Missouri (the "Village") has received an application from the property owner, BG Orange Court, LLC, requesting that Lot 1 of Mill Creek Woods, an official plat within the Village of Loch Lloyd, an 8.75-acre parcel locally known as 16426 W. Loch Lloyd Parkway, be rezoned from Recreational and Open Space District (ROS) to Single Family Residential District (R-1) to accommodate the platting and development of one single family home (see Attachment A for legal description of rezoning); and,

**WHEREAS**, the applicant and property owner has further requested the vacation of an existing 60-foot-wide road and utility easement located along the south 60 feet of Lot 1, Mill Creek Woods, an official plat within the Village of Loch Lloyd, and the vacation of an existing 60-foot-wide road and utility easement centered along the east line of said Lot 1, Mill Creek Woods (see Attachment B for legal description of vacation); and,

**WHEREAS**, the planning consultant hired on behalf of the Village of Loch Lloyd, has reviewed this request and drafted a report to the Planning and Zoning Commission that are dated February 12, 2025, and a staff report to the Board of Trustees dated February 19, 2025; and,

**WHEREAS**, on February 12, 2025, 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 resolution to recommend to the Board of Trustees approval of the rezoning request and easement vacation.

**WHEREAS**, on February 19, 2025, the Board of Trustees of the Village of Loch Lloyd held a duly called and noticed public hearing, received and reviewed the recommendation of the Planning and Zoning Commission, and received and considered the public testimony of all those who came before it.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF LOCH LLOYD, MISSOURI AS FOLLOWS:**

**SECTION 1.** The Board has made findings that the proposed rezoning is consistent with the Village's adopted Land Use Master Plan map and policies, and the easement areas requested to be vacated are not needed to provide access and services to any of the adjoining properties nor are they needed to accommodate future development within the Village.



**SECTION 2.** The rezoning and easement vacation as detailed in the staff report to the Board dated February 19, 2025, are approved and the official Zoning Map of the Village is hereby updated accordingly, subject to the following conditions of approval:

1. The applicant shall obtain approval from the Village and record with the County a minor plat merging this 8.75-acre parcel, Lot 1 of Mill Creek Woods, with a portion of Lot 2 of Loch Lloyd North – Phase A.
2. The applicant shall pay all application fees and costs incurred by the Village for the processing and review of this application.

**PASSED AND APPROVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF LOCH LLOYD, MISSOURI, THIS 19TH DAY OF FEBRUARY 2025.**

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Randal L. Schultz  
Chairperson

**ATTEST:**

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Anthony Lafata  
Village Clerk



**ATTACHMENT A**

**LEGAL DESCRIPTION OF REZONING**

Lot 1, Mill Creek Woods, a subdivision of land in Cass County, Missouri.



**ATTACHMENT B**

**LEGAL DESCRIPTION OF EASEMENT VACATION**



**RIGHT-OF-WAY VACATION DESCRIPTION**

**(Adjoining the East side of Lot 1, Mill Creek Woods)**

A part of the 60.00 feet wide Road and Utility Easement in Mill Creek Woods, a subdivision in Cass County, Missouri, being more particularly described as follows, surveyed and described on December 19, 2024, by John B. Young, PLS-2006016647:

Commencing at the Southwest Corner of the Southwest Quarter of Fractional Section 6, Township 46 North, Range 33 West, also being the Southwest corner of said Mill Creek Woods; thence South 88°40'54" East along the South line of said Southwest Quarter and the South line of said Mill Creek Woods, 684.05 feet to the West line of Lot 4 of said Mill Creek Woods projected South; thence North 01°28'10" East, 60.00 feet to the Southwest corner of said Lot 4 and the Point of Beginning; thence North 88°40'54" West, 60.00 feet to the Southeast corner of Lot 1 of said Mill Creek Woods; thence North 01°28'10" East along the East line of said Lot 1, 597.08 feet to the Northeast corner of said Lot 1; thence South 88°34'39" East, 60.00 feet to the Northwest corner of said Lot 4; thence South 01°28'10" West along the West line of said Lot 4, 596.98 feet to the Point of Beginning.

Containing 35,822 square feet, more or less.





LOT 1  
LOCH LLOYD NORTH - PHASE A

S 88°34'39" E  
60.00'



SCALE



LOT 1  
MILL CREEK WOODS

N 01°28'10" E  
597.08'

596.98'

LOT 4  
MILL CREEK WOODS

POINT OF BEGINNING  
SW COR. LOT 4

N 88°40'54" W  
60.00'

N 01°28'10" E  
60.00'

VILLAGE OF LOCH LLOYD  
UNINCORPORATED CASS COUNTY

S 88°40'54" E  
684.05'

POINT OF COMMENCEMENT  
SW COR. SW 1/4  
FRAC. SEC. 6-46-33

Location: S:\24.470 - 16426 W Loch Lloyd Pkwy\DRAWINGS\2024.12.17 - FINAL PLAT\2024.12.17 VACATION EXHIBITS\24.470 VACATION NORTH.dwg-De



J & J  
SURVEY  
LLC

8680A N. GREEN HILLS ROAD • KANSAS CITY, MO 64154  
PHONE (816)741-1017 • FAX (816)741-1018

VACATION EXHIBIT

MILL CREEK WOODS  
VILLAGE OF LOCH LLOYD  
CASS COUNTY, MISSOURI



**RIGHT-OF-WAY VACATION DESCRIPTION**

**(Adjoining the South side of Lot 1, Mill Creek Woods)**

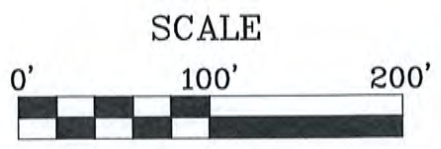
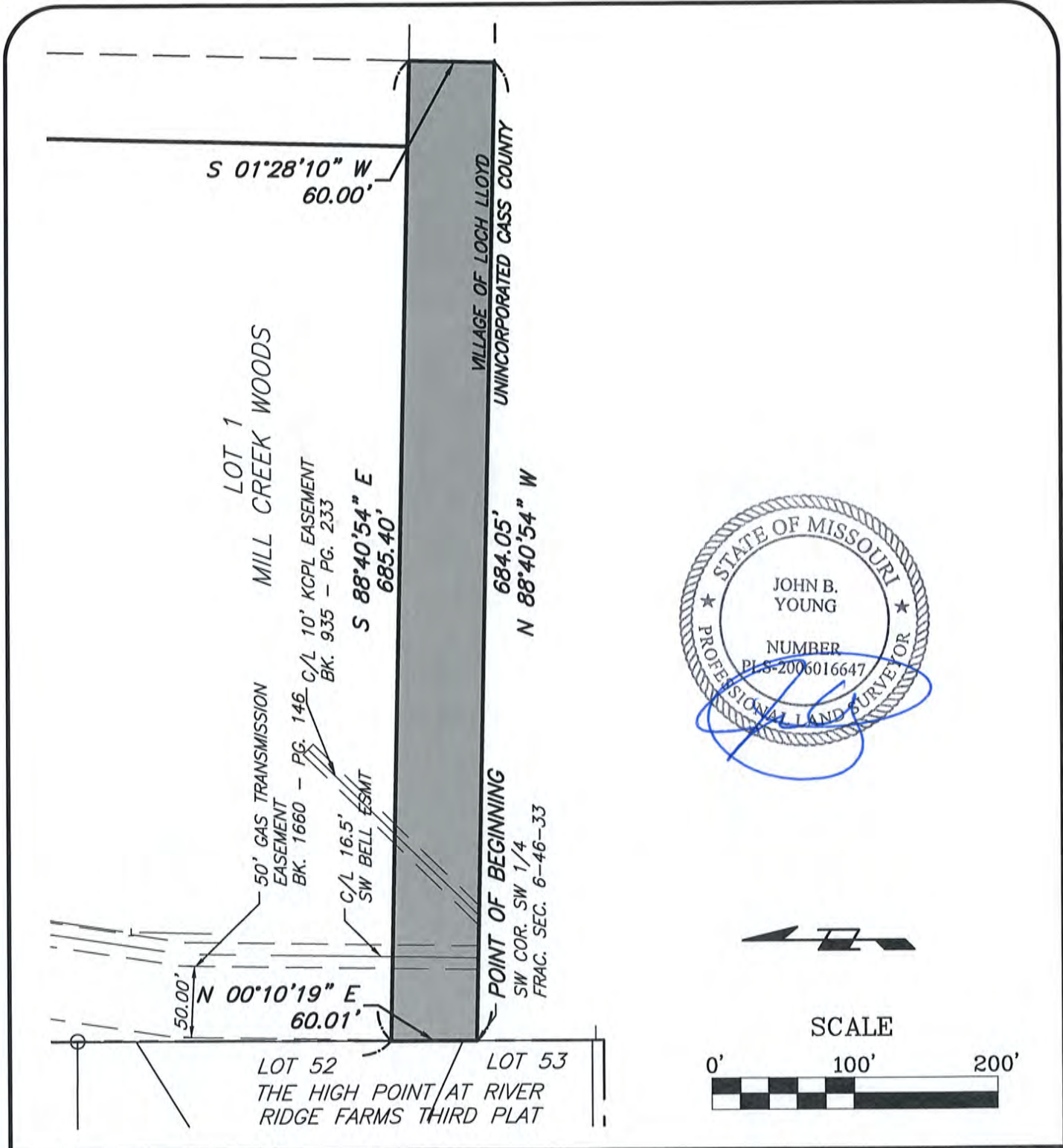
A part of the 60.00 feet wide Road and Utility Easement in Mill Creek Woods, a subdivision in Cass County, Missouri, being more particularly described as follows, surveyed and described on December 19, 2024, by John B. Young, PLS-2006016647:

Beginning at the Southwest Corner of the Southwest Quarter of Fractional Section 6, Township 46 North, Range 33 West, also being the Southwest corner of said Mill Creek Woods; thence North 00°10'19" East along the West line of said Southwest Quarter and the West line of said Mill Creek Woods, 60.01 feet to the Southwest corner of Lot 1 of said Mill Creek Woods; thence South 88°40'54" East along the South line of said Lot 1, 685.40 feet to the Southwest corner of Lot 4 of said Mill Creek Woods; thence South 01°28'10" West along the prolongation of the West line of said Lot 4, 60.00 feet to the South line of said Southwest Quarter and the south line of said Mill Creek Woods; thence North 88°40'54" West along said South lines, 684.05 feet to the Point of Beginning.

Containing 41,084 square feet, more or less.







Location: S:\24.470 - 16426 W Loch Lloyd Pkwy\DRAWINGS\2024.12.17 - FINAL PLAT\2024.12.17 VACATION EXHIBITS\24.470 VACATION SOUTH.dwg-De



**J & J**  
**SURVEY**  
 LLC

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**VACATION EXHIBIT**

MILL CREEK WOODS  
 VILLAGE OF LOCH LLOYD  
 CASS COUNTY, MISSOURI