



STAFF REPORT TO THE BOARD OF TRUSTEES
FEBRUARY 28, 2025 MEETING
AGENDA ITEM: 6a. REZONING – SECHREST

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 45 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.

Planning and Zoning Commission Action

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 6 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 10th Commission meeting, the applicant submitted a letter in response to the Commission's request for additional information. The applicant 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 7 for a copy of this letter). The applicant has not provided additional information.

On December 5, 2024, the Village Planning and Zoning Commission held a second public hearing on this rezoning request. After receiving public comments and considering the reports and testimony provided, the Commission adopted a resolution recommending the Board deny the rezoning request based upon the following findings:

1. The requested rezoning is not consistent with the land uses as shown on the Village's adopted Land Use Master Plan map and does not address all of the policy considerations as provided in said Land Use Master Plan.



2. The applicant has not verified to the satisfaction of the Planning and Zoning Commission that there is adequate sanitary sewer and water service capacity in which to serve the proposed development and that concerns related to the management of stormwater runoff have been addressed.
3. The requested rezoning impacts the character of the surrounding neighborhoods based on the proposed change in use and the proximity and density of the proposed development the rezoning would permit.
4. The rezoning lacks public benefit and has a greater detrimental impact upon the surrounding properties than the benefit it brings to the owner of the property proposed to be rezoned.

The resolution of the December 5, 2024 Commission meeting and the minutes of the October 10, 2024 and draft minutes of the December 5, 2024 are herein incorporated by reference. See Exhibit 15 for a copy of the resolution.

Subsequent to the December 5th Planning and Zoning Commission Meeting

The applicant submitted a revised plan for rezoning Area 4 reducing the number of proposed lots by 3 to address some of the lots size and buffering comments received at the Commission hearings (see Exhibits 1 and 2). This revision also includes changing the proposed side yard building setbacks from 7.5 ft to 5 ft.

Protest Petitions

The Village has received 51 signed petitions from property owners within the Village of Loch Lloyd protesting the proposed rezoning (see Exhibit 13). Per state statute 89.060 RSMO, when the owners of land equaling 30% or more of the land area within 185 ft of the proposed rezoning object, a favorable vote of two-thirds of the Board is required. Based on the calculations conducted by the Village's consultant, the protest petitions submitted meet the 30% threshold and a two-thirds majority vote of the Board is required to approve the proposed rezoning.

Negative Vote of the Planning and Zoning Commission

The proposed rezoning includes numerous diagrams showing the layout of properties, lots, streets and public facilities. With the negative vote of the Commission, Section 89.380 RSMO also imposes a requirement of a two-thirds majority vote of the Board to approve the rezoning application.

Board of Trustees Action

On January 23, 2025, the Village Board of Trustees held a public hearing on this rezoning request. After receiving public comments, the Board closed the public hearing and passed a motion to continue this item to the February 19, 2025 Board meeting and directed the Village attorney to draft a development agreement between the Village and the applicant for review and consideration by the Village Board. At the February 19th Board meeting, this item was continued to the February 28, 2025 Board meeting.

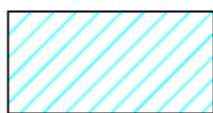


Summary of Exhibits

- Exhibit 1 – Rezoning application (available on Village website)
- Exhibit 2 – Revised layout plan for Area 4
- Exhibit 3 - Draft Board Resolution for denial
- Exhibit 4 – Draft Board Ordinance for approval
- Exhibit 5 - Letter from Beeler on behalf of the SHOA dated October 5, 2024
- Exhibit 6 – Letter from the applicant presented at October 10, 2024 Planning Commission Hearing
- Exhibit 7 - Letter from the applicant dated October 17, 2024
- Exhibit 8 – Letter from Bustamante on behalf of the applicant dated October 29, 2024.
- Exhibit 9 – Letter from Bustamante on behalf of the applicant dated October 31, 2024.
- Exhibit 10 - Letter from Beeler on behalf of the SHOA dated November 1, 2024
- Exhibit 11 - Letter from the South Loch Lloyd Homes Association dated December 5, 2024.
- Exhibit 12 - Assorted E-mails for Record 2024-12-05
- Exhibit 13 – Protest petitions received and calculations spreadsheets
- Exhibit 14 – Assorted E-mails for Record 2025-01-16
- Exhibit 15 – Planning Commission Resolution 2024-12-05
- Exhibit 16 – Additional E-mails for Record 2025-02-13



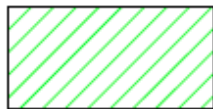
LOCATION MAPS AND SUMMARY OF REZONING REQUEST



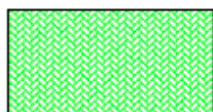
REZONING – AREA 1



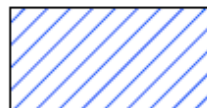
COMMON AREAS – AREA 1



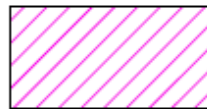
REZONING AREA 2



COMMON AREAS – AREA 2



REZONING AREA 3



REZONING – AREA 4

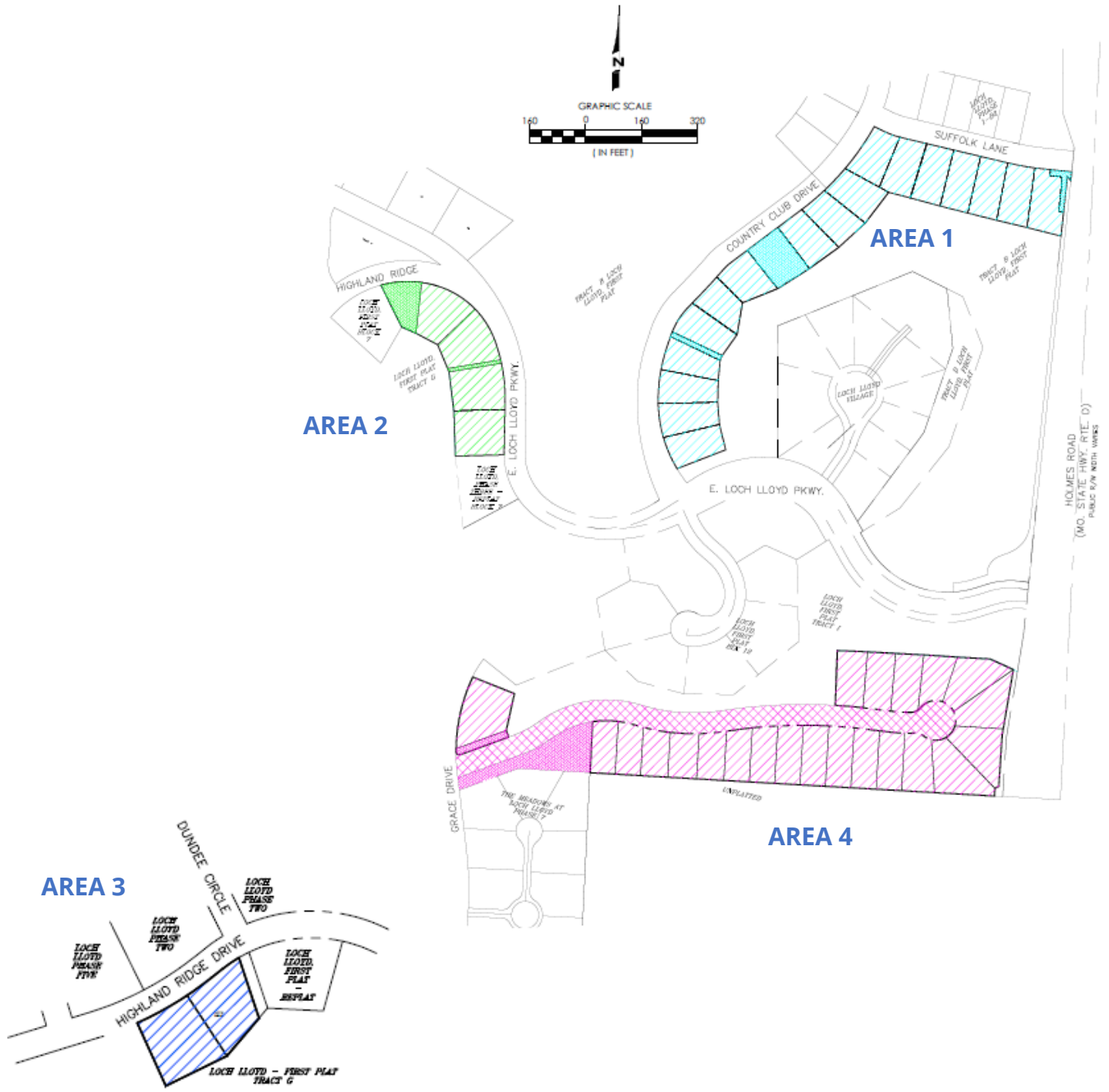


RIGHT OF WAY – AREA 4



COMMON AREAS – AREA 4

VILLAGE OF LOCH LLOYD
BOARD OF TRUSTEES STAFF REPORT
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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):

- 22 single family residential lots served by a new street (previously 25 lots)
- Lot sizes range from 0.24 acres to 0.52 acres
- Setbacks:
 - Front: 20 ft
 - Rear: 30 ft
 - Side: 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 25 through 32 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.
- Streetlights – The applicant is proposing to install streetlights along the new street consistent with the lighting of the other streets in the area.

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 regard 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 22 lots proposed in Area 4 range from 0.24 acres to 0.52 acres with an **average lot size of 0.30 acres and an overall density of 3.28 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. Should this rezoning request be approved, 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 allowed hours of construction activities. 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. The applicant has also proposed to retain and improve the existing 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 shall be required to enter into an agreement with the Village to identify phasing and timing of the development and to guarantee that the graded areas are restored and the proposed trail improvements, landscaping, and berming is constructed and installed in a timely and workmanlike manner. Additionally, this agreement shall further ensure the remaining areas of the Sechrest are maintained at an appropriate standard commensurate with the remainder of the improved development of open space within the Village. 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. The 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 or approval of plats. Should the Board decide to approve the requested rezoning, conditions for approval to address these items have been included in the recommendation section of this report for the Board's consideration.

APPROVAL PROCESS

Should the requested rezoning be approved, the applicant must still submit a Preliminary Plat application along with plat maps and construction plans, for review and recommendation by the Planning and Zoning Commission and approval by the 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.

ACTION BY THE BOARD OF TRUSTEES

It should be noted that because the Planning and Zoning Commission has adopted a resolution recommending denial of the requested rezoning, a vote of approval by 2/3rds of the Board members may be required to overrule the Commission's decision, based on the provisions of state statute 89.380 RSMO. Furthermore, the Village has received a number of protest petitions that meet the threshold to trigger the requirement for a 2/3rds vote of the Board necessary to approve the rezoning, in accordance with state statute 89.060 RSMO.

RECOMMENDATIONS

Staff is not making a recommendation of either approval nor denial of the application as submitted. The determination of the Board is a legislative decision.

Should the Board decide to deny approval of the requested rezoning, the author of this report recommends the Board adopt findings for denial. Attached as **Exhibit 3 is a Resolution for denial** with suggested findings for the Board's consideration.

Should the Board decide to approve the requested rezoning, the author of this report recommends the Board (1.) make a finding that the land use policies outlined in the adopted Land Use Master Plan and listed within this report have been considered, (2.) amend the Land Use Master Plan map to show the rezoning areas as Single Family Residential, and (3.) approve the rezoning as detailed herein and as provided in the application subject to the following conditions of approval:

1. Prior to the approval of any plats and the start of any construction, the applicant shall enter into a Development Agreement, as presented, with the Village of Loch Lloyd which among other requirements includes (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. A copy of the Development Agreement is attached hereto, incorporated herein and made a condition of any rezoning of the properties included in the application.
2. 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, confirmation of all necessary access easements for the new driveways and the new street to the existing roadways, 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.



3. 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.

Attached as **Exhibit 4 is an Ordinance for approval** for the Board's consideration.

*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.villageoflochlloyd-mo.org



EXHIBIT 3

RESOLUTION NO: _____

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE VILLAGE OF LOCH LLOYD, MISSOURI, FOR DENIAL OF THE REQUESTED 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 45 single family residential lots (see Attachment A for legal description of rezonings); and,

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

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 (the "Commission") that are dated October 10, 2024, and December 5, 2024 and staff reports to the Board of Trustees dated January 23, 2025, and February 28, 2025; 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, 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 testimony of all those who came before it, voted to recommend to the Board of Trustees denial of the rezoning requested based the following findings:

1. The requested rezoning is not consistent with the land uses as shown on the Village's adopted Land Use Master Plan map and does not address all of the policy considerations as provided in said Land Use Master Plan.



2. The applicant has not verified to the satisfaction of the Planning and Zoning Commission that there is adequate sanitary sewer and water service capacity in which to serve the proposed development and that concerns related to the management of stormwater runoff have been addressed.
3. The requested rezoning impacts the character of the surrounding neighborhoods based on the proposed change in use and the proximity and density of the proposed development the rezoning would permit.
5. The rezoning lacks public benefit and has a greater detrimental impact upon the surrounding properties than the benefit it brings to the owner of the property proposed to be rezoned.

WHEREAS, on January 23, 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 proposed rezoning as detailed in the staff report to the Board dated February 28, 2025, and as provided in the application, is denied based upon the recommendation of the Planning and Zoning Commission, the findings as stated at the Board meeting and summarized as follows:
1. The requested rezoning is not consistent with the land uses as shown on the Village’s adopted Land Use Master Plan map and does not address all of the policy considerations as provided in said Land Use Master Plan.
 2. The applicant has not verified to the satisfaction of the Planning and Zoning Commission that there is adequate sanitary sewer and water service capacity in which to serve the proposed development and that concerns related to the management of stormwater runoff have been addressed.
 3. The requested rezoning impacts the character of the surrounding neighborhoods based on the proposed change in use and the proximity and density of the proposed development the rezoning would permit.
 4. The rezoning lacks public benefit and has a greater detrimental impact upon the surrounding properties than the benefit it brings to the owner of the property proposed to be rezoned.

**VILLAGE OF LOCH LLOYD
BOARD OF TRUSTEES STAFF REPORT
FEBRUARY 28, 2025 MEETING
AGENDA ITEM: 6a. REZONING – SECHREST**



**PASSED AND APPROVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF LOCH LLOYD,
MISSOURI, THIS 28TH DAY OF FEBRUARY 2025.**

Randal L. Schultz
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 4

ORDINANCE NO: _____

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE VILLAGE OF LOCH LLOYD, MISSOURI, APPROVING 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 45 single family residential lots (see Attachment A for legal description of rezonings); and,

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

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 staff reports to the Board of Trustees dated January 23, 2025, and February 28, 2025; 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, 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 testimony of all those who came before it, voted to recommend to the Board of Trustees denial of the rezoning request.

WHEREAS, on January 23, 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 land use master plan map and policies outlined in the adopted Land Use Master Plan, have been considered.

SECTION 2. The following findings have been made by the Board:

1. The requested rezoning considers and addresses the policy considerations as provided in the adopted Land Use Master Plan and the land use master plan map is hereby amended to be made consistent with the proposed rezoning.
2. The approval has been conditioned to ensure that there is adequate sanitary sewer and water service to serve the proposed development and to require the proper management of stormwater runoff.
3. The requested rezoning is suitable and consistent with the character of the surrounding neighborhoods.

SECTION 3. Land Use Master Plan Map is hereby amended to show the rezoning areas as Single Family Residential as part of this rezoning approval.

SECTION 4. The proposed rezoning as detailed in the staff report to the Board dated February 28, 2025, and as provided in the application, is approved and the official Zoning Map of the Village is hereby updated accordingly, subject to the following conditions of approval:

1. Prior to the approval of any plats and the start of any construction, the applicant shall enter into a Development Agreement, as presented, with the Village of Loch Lloyd which among other requirements includes (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. A copy of the Development Agreement is attached hereto, incorporated herein and made a condition of any rezoning of the properties included in the application.



2. 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, confirmation of all necessary access easements for the new driveways and the new street to the existing roadways, 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.
3. 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.

PASSED AND APPROVED BY THE BOARD OF TRUSTESS OF THE VILLAGE OF LOCH LLOYD, MISSOURI, THIS 28TH DAY OF FEBRUARY 2025.

Randal L. Schultz
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.)

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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.

VILLAGE OF LOCH LLOYD
BOARD OF TRUSTEES STAFF REPORT
FEBRUARY 28, 2025 MEETING
AGENDA ITEM: 6a. REZONING – SECHREST



EXHIBIT 5
LETTER FROM BEELER ON BEHALF OF THE SHOA DATED OCTOBER 5, 2024

Submission for the Record to Loch Lloyd Planning and Zoning Committee

Re: Proposed 48 Lot development

Mr. Etherington and Members of the Committee:

The South HOA would like to go on record. Any consideration of this rezoning application by the P&Z Committee or the Village Trustees consideration is premature. The Village rules and regulations for any real estate development or redevelopment make clear that satisfaction of a number of pre-conditions and considerations is mandated **BEFORE** any rezoning may take place. These include submission of drainage and stormwater management studies, analysis of potential construction impacts on the existing street network, and consent from the water authority. Concerningly, not mentioned in the application or staff report is the mandated requirement for consent of the SHOA to allow use of the street system, security gates, and the acceptance of any re-developed property into the SHOA and its governance.

The pre-conditions (including, SHOA approval and consent) should be precursors to any re-zoning, plan or plat approval actions of the Village P&Z Committee or Village Trustees. Absent requiring that those pre-conditions be met, the net effect is to allow Village of Loch Lloyd approval of a rezoning application (thereby effecting a legal zoning change) and leaving it to the SHOA to essentially confirm or reject the new zoning plan. The SHOA approval and consent is a mandatory pre-condition of redevelopment construction. Put simply, it is grossly unfair to put the SHOA in a position of potentially vetoing Village rezoning decisions. The point is that the SHOA cannot and will not accept any property or development into the SHOA or allow use of its street and secured access points to

further such development until and unless concerns over security, privacy of streets, continued protection for and maintenance of streets and SHOA assets and amenities, proper analysis of water runoff/drainage, analysis of lake impact, agreeable traffic management, Covenants, Conditions and Restrictions compliance ("CC&Rs") and other important factors are properly considered.

The SHOA has consistently asked for a seat at the development and design table to be in a position to provide input in a manner that could lead to approval and consent, all in advance of formal submission to the Village P&Z Committee and Trustees for rezoning. Until of late, those "asks" have not been granted. The recent good news is there have now been two preliminary meetings with the Developer's representatives and both parties have promised to continue the dialogue.

In summary, the SHOA respectfully submits that any application for re-zoning, platting or planning of redevelopment of any portion of the former "Sechrest" nine holes is at this time premature. It brings to mind the well-used phrase, you have **"the cart before the horse."** The Village trustees will act with quasi-judicial authority when they consider and take action on the rezoning application. They should not act with that quasi-judicial authority until and unless the pre-condition requirements are met, including the consent and authority of the SHOA to allow the proposed development as part of the SHOA and to allow access via SHOA streets and access points to reach and construct the 48 new homes proposed.

Latching on to the phraseology of many pieces of marketing materials and information, Loch Lloyd is ... in a word ... a very unique community. It is unique for being a secured

community with gated access, recreational lakes, private club amenities, and upscale luxury housing, all intermixed with suburban nature. But that is not all of why the community is unique. It is also very unique in the manner in which the community operates and how it is governed. Loch Lloyd is not just the Village. It is really a grouping of 5 separate entities operating within the same community. Here you have the Village, NHOA, SHOA, Country Club, and Water board. All of them have irons in this fire. It is further unique because the SHOA owns the secured access points and amenities associated with all but the North entrance to Loch Lloyd. Further, the SHOA owns the private street network from those gated access points, as well as the large recreational lake, picnic pavilion area and numerous points of common area. In fact, the SHOA owns substantial property located within 185' of the proposed rezoning area. That 185' is the statutorily designated area which requires special notice of any proposed rezoning, because the property owners within that 185' are the most directly impacted by any proposed rezoning.

Lastly, the unique factor further applies because there is no means of access to undeveloped areas within Loch Lloyd, except by use of the SHOA access points and its streets. That means that the design intent of the community from inception, has been that the SHOA would control access, amenities, streets, and indeed, design standards for any and all additional development within the Loch Lloyd community. The By-Laws and Declaration of CC&Rs of the SHOA were written to clothe the SHOA board with authority to protect the assets and amenities of the community and to protect the investment of the hundreds of families that have invested their future in the community. So, while openly acknowledging the authority and jurisdiction of the Village to consider potential rezoning and alternative uses of property, it remains a legal reality, however UNIQUE it may be,

that the SHOA must approve and consent to any additional property coming into the association and moreover, must approve and consent to any use of its gates, streets or amenities by anyone other than its own members. This proposed redevelopment requires that approval and consent from the SHOA and, to date, it has not even been requested, much less granted.

APPLICATION FAILURES

The rezoning application to be used for rezoning in the Village of Loch Lloyd contains a listing of those things which are **REQUIRED** to be submitted before any rezoning application can or will be considered. In the instant case, we direct your attention to page 3 of 4 of the filed application. The following are portions of the mandatory language at the top of that page, all with the mandate of "shall":

SUPPORTING INFORMATION REQUIRED:

*Each of the following items **shall be** submitted . . .*

*Applications missing any of the required information **shall be deemed incomplete and returned** the applicant.*

- *Proposed uses of land including areas set aside for open space, buffers, landscaping and screening, recreation, and stormwater management.*
- *Proposed restrictive covenants, **owners association structure and regulations...***
- *Building and architectural design standards*
- *Grading master plan Signed by a State of Missouri licensed engineering or landscape architect with competency to complete said plan.*
- *Storm water management master plan*
- *Storm water pollution prevention plan*
- *Proposed restrictions; prevention and clean-up of construction debris on roadways and adjoining properties; and **management of liability for damage and wear and tear on roadways.***

Once again – satisfaction of these mandated **REQUIREMENTS** for inclusion in the initial zoning application is a pre-condition to acceptance and hearing of any rezoning application. **NONE** of the cited requirements have been satisfied. As a result, the Village's own rules mandate a finding that the application is deemed incomplete and it should be returned to the applicant without any further action on the part of the P&Z Committee.

If the P&Z Committee determines the application can be heard despite the submission requirement failures then:

WHAT ARE THE LIMITS OF THE REZONING REQUEST?

The staff report contains documents which seem to controvert one another when it comes to describing what property is subject to rezoning. By example, page 1 of 15 of the Staff Report states that "portions of their 74.9 acre property" are sought to be rezoned from RECREATIONAL AND OPEN SPACE to Single Family residential to accommodate 48 new single family residential lots. There is also a reference to a portion of Tracts B,G, E, and I of Tract 1. The legal descriptions themselves (attached to the application) and the Cass County recorder records reference only portions of Tracts B, G and I. There is no reference to Tract E.

The new 48 lots are to be located in 4 separate tracts to be rezoned. The legal descriptions for the four rezoning tracts total 20.44 acres. The report then says the remainder of the Sechrest, (i.e. 54.46 acres) is to remain as Recreational Open Space zoning. However, if one looks at the Final Development Plan attached to the Rezoning Application, you will find that it is the 54.46 acres which carries the Tract numbers 1-4 and NOT the 20.44 acres slated for residential development. There is significant concern that

ONLY the property slated for residential redevelopment should receive a change in zoning.

A further substantive concern is the apparent lack of a Master Plan of future use and development or a commitment not to conduct ANY additional development of the Sechrest. As noted, all of the area surrounding the Sechrest nine holes has been previously sold and developed as golf course lots or golf course view lots. Residents of the SHOA living on Sechrest did not buy or build with any expectation that the golf course they built on would be shut down and re-developed into residential homes. Anyone with residential real estate experience can tell you that golf course lots sell for substantially more than lots with houses at the rear lot line. This proposed development negatively impacts property values of the prior golf course lot properties.

At best, this proposed redevelopment is what we in the real estate world call "in-fill" development. It is when a developer has largely completed construction of a planned community and then seeks to come back and "fill in" the remaining open area. But, in this case, in-fill is probably too kind of a term or description because the Sechrest recreational open area was never intended for development, in the first place. It was to be golf course.

It is the SHOA's strong opinion that prudent planning of the Sechrest "in-fill" redevelopment compels the submission of a Master Plan for the entirety of the 74.9 acres. Without such a Master Plan, or commitment that no additional development will be sought for that acreage, the SHOA and its residents are left to speculate whether this proposed 48 lot redevelopment is "all there is" or whether the next development proposal is immediately around the corner. Analysis as to impacts of stormwater, traffic, construction,

security, access are mandated. It is only common sense and prudent planning to know what is anticipated for the remainder of the acreage in order to properly plan for redevelopment and necessary infrastructure for the proposed 48 new residences.

For many months there have been whispered discussions about a potential plan for redevelopment of the Sechrest nine holes. The SHOA has learned of plans that spanned from near 200 homes down to this most recent 48 home filing. The SHOA needs to know the Master Plan. So does the Village. Keeping effective watch over the secure and serene nature-like setting of Loch Lloyd is a task much easier accomplished by the Village and the SHOA, IF they can see and accurately project the impact of their consents and approvals based upon an acknowledged Master Plan for future use. We respectfully request that this body mandate the filing of a Sechrest redevelopment Master Plan BEFORE approving any piecemeal rezoning. Again, it is basic prudent planning policy to do so.

CONSTRUCTION USE OF REMAINING SECHREST ACREAGE

Various of the exhibits to the rezoning application show mapping of proposed construction traffic over and across remaining areas of Sechrest which are NOT designated for rezoning. Concerns then arise as to what traffic across unpaved areas of undeveloped Sechrest ground will mean to the many residents living adjacent to those areas. Those SHOA residents may not actually have houses built directly behind them but they will live with years of construction traffic and machinery traversing the former golf course property immediately adjacent to them. Will that area serve as a staging area for heavy machinery, trucks and construction materials? Nothing in this application would say no to that inquiry.

STORMWATER STUDY

On page 4 of 15, the Staff Report refers to its receipt of a “conceptual plan for the management of stormwater runoff from the new hard-surfaced areas being created by the new lots and street.” The SHOA has made known to the applicant and to the Village staff its deep concern about the lack of meaningful drainage basin studies, need for stormwater detention, and the need for further protections from erosion and pollution of Loch Lloyd lake. To date – no concept plan nor stormwater flow, volume study, or pollution avoidance study has been afforded to the SHOA. We respectfully suggest that due to the pre-existing residential development, the current existing stormwater runoff issues downstream of the proposed development, and the sensitive nature of water quality management in the mature lake asset, these types of studies should be mandates for submission to all interested parties well in advance of any consideration of additional development in the Loch Lloyd community.

BUILDING DESIGN STANDARDS

The SHOA is somewhat baffled by the Staff Report reference to applicant’s submission of a “Design Review Rules and Regulations document”. A cursory review of that “document” reveals CC&R changes which are tantamount to lessening development restrictions that are currently in place for any residential building in the SHOA. By example, we refer to changing side yard setbacks to a mere five (5) feet, allowing decreases in lot sizes, increases in per acre unit densities and more. It **MUST** be noted that the standards for Design Review come under the gamut of SHOA regulation. The

design rules and regs submitted by the applicant with this application are NOT SHOA approved and in effect, constitute a non-existent document. The Staff report says these new rules will need to be "tied to these new lots." This cannot be done by the applicant as any rule application must be initiated with consent, approval and ACTION of the SHOA. Once again, the cart is well ahead of the horse. If the applicant needs or wants modifications to existing design review standards, they should be before the SHOA with that proposal so that it can be reviewed and considered. Any action to rezone based upon non-existing rule and regulation allowances is not only imprudent but would bring the notion of arbitrary and capricious action to the forefront.

HOMEOWNERS ASSOCIATION

While the Staff Report has a paragraph with the Homes Association heading, we must state with due respect, the statements in that Homes Association paragraph on page 4 of 15 are misleading and inaccurate. First, Staff refers to an anticipation "that these new lots **may be** incorporated into the existing South Loch Lloyd Homes Association." This is misleading because these 48 lots **MUST BE** incorporated into the existing SHOA or they cannot be built. There is no access to the proposed property to be rezoned, other than by SHOA streets and gates. Next, the report merely "encourages" the applicant to work with the SHOA to obtain any required approvals, including the dedication and acceptance of the proposed new private street." Village staff understands the gates and streets coming into Loch Lloyd from Holmes Rd are property assets owned by the SHOA. Similarly, staff is aware that approval and consent of the SHOA to this redevelopment is **required** in order to bring the 48 lots into the SHOA and to grant rights of access and use of SHOA assets.

It is very curious that the staff report includes a number of requirements and even required STIPULATIONS that the applicant must obtain approvals and agreements from the Northwest Cass County Water Resource District and the Village of Loch Lloyd. There is even a proposed stipulation and requirement that the Applicant reach an agreement with the Blue Bird Committee for the relocation of bird houses that might be impacted by the proposed construction. But – staff suggests no requirement that an agreement, approval, and consent of the SHOA that owns the access, gates, streets and lake be obtained? Once again – it seems that folks reviewing this application either do not understand the mandated SHOA approval requirements or they are refusing to recognize them. Either way, if ignored, the result would not be good for anyone involved. As noted at the beginning, the unique nature of the overall structure of the Loch Lloyd community mandates the approval and consent of multiple parties in order to engage in further development. That is simply how it has to work.

The SHOA is not predisposed to be for or against this application or any other development proposal. But likewise, the SHOA board will not approve or consent to development or bringing in property to the SHOA until and unless, the necessary protections are in place for the existing community and its residents and it is shown that the proposed redevelopment furthers the interests of the SHOA and all concerned.

LAND USE MASTER PLAN

It is a bit ironic and certainly concerning that the Village of Loch Lloyd so recently went through a lengthy and expensive process to review and bring up to date a Master Plan for the community. The irony and concern is because this current rezoning application –

the very first one following the Master Plan update – violates that plan in multiple instances:

- The MASTER PLAN adopted by the Village identifies the entire Sechrest property as Recreation/Open Space. This application is in contravention to the current plan. The staff report even has a suggestion on page 5 or 15 that the Trustees should modify or amend the just recodified Master Plan to address this zoning change. Why?
- Further the Staff Report cites existing Village development policies – all of which are violated by the current rezoning application:

Policy 1 - Any Village decision to rezone **SHALL BE CONTINGENT UPON** – a determination of the P&Z and the Trustees that the proposed rezoning is substantially consistent with the then existing master plan or any amendment to the Master Plan.

Answer - This application is in no way substantially consistent with Recreational and Open Space Zoning as ascribed to this property in the current plan and there is no pending Amendment to change the Master Plan.

Policy 2 – The width of open space area should be maximized to the greatest extent practical, with a **strong** preference for a minimum of 150 feet.

Answer – the application is replete with violations of the 150 foot minimum, with some 22 of the 48 total lots not meeting the minimum distance requirement.

Policy 3 – Existing Village policy states that **PRIOR TO APPROVAL OF ANY REZONING OR CHANGE TO THE ADOPTED LAND USE MASTER PLAN** the following **MUST BE** addressed. Then among many more subjects, the policy lists:

- building setbacks.
- consideration of impacts to adjoining residential areas.
- stormwater drainage and impacts on downstream properties.
- water volume capacity and water quality impacts on Loch Lloyd Lake.
- water service and impacts on water pressure.
- sanitary sewer service and capacity.
- vehicular circulation.
- traffic volumes.
- physical impacts on existing streets.
- preservation of open space and natural features.
- mitigation of impacts to residents and Village infrastructure.
- and ... lo and behold, consideration of HOA rules.

Answer – all of these – let me repeat – **all of** these existing policies are violated by this application. Neither the application nor the Staff Report addresses the substantive nature of these important areas of inquiry.

LACK OF STAFF RECOMMENDATION

It is usual and customary in a Staff Report that staff make its collective analysis of an application, including substantive pros and cons, and then offers a professional recommendation of approval or denial to the Planning and Zoning Committee and then subsequently to the Governing Body – which in this instance – means the Board of Trustees. Oddly, in this case – and though artfully worded – we find no professional recommendation of staff at all. Instead – on page 6 of 15 the report says, “Should the Planning and Zoning Commission decide to recommend approval of the requested rezoning – then – the author of this report recommends the Commission” make certain enumerated findings (numbered 1 thru 8). So – no professional staff recommendation for approval is made – and no recommendation for denial is made. We respectfully suggest the stance taken by staff is very telling here. They know there are multiple policy violations and variances. They know the proposed project design does not meet the tenets of the existing design and review standards of the SHOA. They know the proposed setbacks and densities are to be less than the design and quality standards of the existing Loch Lloyd development. They know the necessary street impact and stormwater studies, water volume studies, and pollution studies have not been completed; AND most of all – they know that nothing has been presented to the SHOA to gain approval and consent. IN A REAL SENSE – this application is asking the Village to approve rezoning on the premise that “you give us approval of a permanent zoning change – and then we will then go back and ask for all of those mandated approvals after the fact”. Perhaps you have

heard the old saying – “don’t ask permission – just ask for forgiveness.” That is exactly what is happening here.

CONCLUSION

We respectfully repeat the SHOA believes this application is incomplete and should not be heard. The Applicant has not followed or complied with applicable Village policies, and we believe that should the P&Z committee decide to recommend an approval of this application, it too will have failed to follow the existing policies of the Village and the current approved Master Plan.

We again emphasize that the goal of the SHOA is to protect the integrity of the existing community, including lifestyle, and investment of the HOA members. The SHOA Members overwhelmingly stated via survey within the last year, that their number one priority was the protection of their home and investment via the privacy and security of the gated community. To fulfill that protective goal, the SHOA must be presented with all of the needed information, in advance, to address the subject matters contained in each of the above sections of this Memorandum. Until and unless those matters are satisfactorily addressed, including the presentation of a Master Plan for the future use and development, if any, of the remaining 54+ acres of the Sechrest property, the mandatory approval and consent of the SHOA to accept this proposed development area into the SHOA and allow access to SHOA access, gates, road system, and amenities, simply cannot be provided.

We believe that SHOA approval and consent is a pre-condition of rezoning. Prudence and common-sense mitigate against the significant and necessary SHOA review coming **AFTER** the quasi-judicial action of the Village. The SHOA requests that the application not be heard due to the clear filing failures. But, if a decision is made to hear the application, then the SHOA requests that the application be recommended for denial for all of the reasons stated herein.

Respectfully submitted:

R. Scott Beeler
Legal counsel for the South Loch Lloyd Homes Association



EXHIBIT 6
LETTER FROM THE APPLICANT PRESENTED AT OCTOBER 10, 2024
PLANNING 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.

VILLAGE OF LOCH LLOYD
BOARD OF TRUSTEES STAFF REPORT
FEBRUARY 28, 2025 MEETING
AGENDA ITEM: 6a. REZONING – SECHREST



EXHIBIT 7
LETTER FROM THE APPLICANT DATED OCTOBER 17, 2024

October 17, 2024

Chris Shires, City Planning Consultant [via electronic mail: cshires@thinkconfluence.com]

Jonathan Zerr, City Attorney [via electronic mail: 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 13th, 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

VILLAGE OF LOCH LLOYD
BOARD OF TRUSTEES STAFF REPORT
FEBRUARY 28, 2025 MEETING
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EXHIBIT 8
LETTER FROM BUSTAMANTE ON BEHALF OF THE APPLICANT DATED OCTOBER 29, 2024.

October 29, 2024

Scott Beeler
Rouse, Frets, White, Goss, Gentile Rhodes, P.C.
5250 W. 116th Place, Suite 400
Leawood, Kansas 66211

Re: Sechrest Development Rezoning Application

Dear Scott,

I am writing to seek clarification on several key points regarding the position of the Loch Lloyd South Homes Association (SHOA) in opposition to our rezoning request for The Sechrest Development. As this matter has significant implications, I believe it is essential to address the following questions as we proceed through this process:

1. **Basis for Approval Authority:** I have read your written submission to the Planning and Zoning ("P&Z") Committee and listened to your oral presentation at the October 10, 2024, meeting, neither of which cited any ordinance, code or statute in support of the SHOA's position. For my clarification, could you please provide the basis for the SHOA's assertion that we, the developer, must seek the SHOA's approval for rezoning requests and/or the notion that the SHOA's approval is required for our application to be complete? It is unclear to me what legal or contractual grounds underpin the SHOA's purported right to exercise approval over rezoning matters.
2. **Timing of Opposition:** As you know, we have been the developer for several projects within the Village of Loch Lloyd over the past several years. Despite your claim that our rezoning application requires SHOA approval, the SHOA has never previously taken this position, and we have never sought SHOA approval before. In fact, we have only ever engaged with the SHOA following final plat approval of each development project. Can you please clarify why the SHOA has suddenly taken this stance on this particular project?
3. **Capacity for New Homes:** We recently learned that the SHOA has expressed concerns about the HOA being "at capacity" for new homes. Could you point me to any specific governing documents that establish a limit on the number of rooftops that will be permitted within the community? Can you please also describe how this stance would impact the SHOA's position regarding rezoning and development approvals, if it is true that it will no longer accept additional homes.
4. **Conditions for Agreement:** While we disagree that the SHOA's approval is required for our rezoning application, in the interest of collaboration, I would appreciate your insight into what specific conditions or concessions might lead to the SHOA's support for our proposed rezoning request. Please provide as much detail as possible so that we can proceed with more productive and efficient communications moving forward.

Clear and transparent communication between all parties is critical, and I appreciate your attention to this matter. As time is of the essence, please provide a response on or before Monday, November 4, 2024. Thank you in advance.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessie Bustamante", with a long horizontal flourish extending to the right.

Jessie Bustamante
Counsel for S9-REDEV, LLC

VILLAGE OF LOCH LLOYD
BOARD OF TRUSTEES STAFF REPORT
FEBRUARY 28, 2025 MEETING
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EXHIBIT 9
LETTER FROM BUSTAMANTE ON BEHALF OF THE APPLICANT DATED OCTOBER 31, 2024.

October 31, 2024

Jonathan Zerr
Village Attorney
Village of Loch Lloyd

Re: Sechrest Development Rezoning Application

Dear Mr. Zerr,

On behalf of S9-REDEV, LLC, the developer for the Sechrest Development, I write to address key issues regarding our rezoning application currently pending before the Planning and Zoning (P&Z) Committee. We feel it is important to address these issues before the next P&Z meeting so that we can continue moving forward with this process as efficiently as possible.

1. HOA Approval Not Required: Based on our review of this matter following the South HOA's ("SHOA") presentation at the October 10, 2024, meeting, and my subsequent discussion with you, we formally request you instruct the P&Z Committee that approval from the SHOA is not a requirement for the consideration or approval of a rezoning application. It is our position that the P&Z Committee's role is to evaluate the application based on municipal regulations and broader community considerations, and that there is no contractual or legal basis for the SHOA's position that we are required to seek their approval.
2. Scheduled Vote on December 5th: We also formally request that the P&Z Committee be instructed to vote on our rezoning application at its upcoming meeting on December 5, 2024. Given the substantial work already done in presenting and discussing this matter, we believe it is in the best interest of the Village and all stakeholders to move forward with a decision at that time. Moreover, we are incurring and will continue to incur significant costs, and additional delays will only cause increased financial damage.
3. Notice of Potential Conflict: Finally, we wish to put the Village on notice of a potential conflict involving Village Trustee Ruth Withey. We believe based on multiple reports that Mrs. Withey has been actively campaigning against approval of our development proposal ahead of the next Village meeting. Her advocacy on this issue prior to consideration by the Board of Trustees suggests a personal bias that may interfere with her ability to impartially evaluate the application. We trust the Village will carefully consider this matter to ensure a fair and impartial review process.

We appreciate your prompt attention to these matters and look forward to a productive resolution. Please let us know if further clarification or discussion is necessary.

Sincerely,

/s/ Jessie Bustamante

Jessie Bustamante
Counsel for S9-REDEV, LLC

VILLAGE OF LOCH LLOYD
BOARD OF TRUSTEES STAFF REPORT
FEBRUARY 28, 2025 MEETING
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EXHIBIT 10
LETTER FROM BEELER ON BEHALF OF THE SHOA DATED NOVEMBER 1, 2024

ROUSE FRETS WHITE GOSS GENTILE RHODES, P.C.

R. SCOTT BEELER
sbeeler@rousepc.com
913-209-5134

November1, 2024

Via Electronic mail: jessie@tifec.com

Jessie Bustamante
General Counsel
The Illig Family Enterprise Company

Dear Jessie:

I am writing in response to your letter of October 29. I hasten to reference the somewhat incredible oddity that your letter fails to even mention the prior October 17 letter the Developer sent to the Village outside planner and outside attorney (without the courtesy of a copy to the organization they lash out at throughout the letter), boldly stating that the applicant intends to ignore the requests and directives of the Planning and Zoning Committee. Further, your letter failed to mention your client's intention to unilaterally cancel the prior scheduled meeting, which was scheduled in good faith by the SHOA to discuss this important proposal. The Developer's now obvious – stay the heck out of our way – approach is noted, but certainly disappointing.

Even before the SHOA's third-hand receipt of the recent communications you sent the Village, we were a bit surprised that you would suggest a deadline for an SHOA response to your letter, when:

- The SHOA's position on authorization and consent to property coming into the HOA and/or use of HOA streets, access, and amenities has been openly stated throughout my two and one-half years of representation of them, including multiple communications with former company counsel for the Developer; multiple communications with former outside counsel for the Developer; communications with you, Jonathan Zerr, and Chris Spires (in my office in the meeting with Jack Hamer); communications with Trustees and Village staff; and negotiation of agreements for connection to and use of SHOA streets (Blue Valley, Wallace Way, the Cove, and others). The requirement of SHOA authorization and consent to access and make use of SHOA assets has been a constant. At no time has anyone (until receipt of your October 29 letter to me and now apparently, the October 17 letter where neither the SHOA nor I was not copied) challenged that requirement or asserted anything to the contrary.
- The SHOA reiterated its position via submission of written comments and an oral presentation on October 10 (now going on three weeks ago) and we had heard nothing since from the Developer team.
- As noted above, there was a meeting scheduled for October 30 to continue discussions between the Developer and the SHOA. Nothing was said about the October 30 meeting while the SHOA representatives were at the Club for a review committee meeting on October 28. Shortly after the review committee meeting concluded, the SHOA

representatives received an email unilaterally cancelling the scheduled October 30 meeting. No new date was proffered.

- After the P&Z meeting, the SHOA followed up on October 24 by writing and sought confirmation that the scheduled October 30 meeting would be in keeping with the P&Z directive to meet and discuss authorization and consent from the SHOA. No response was received until receipt of the unilateral cancellation. No mention of a challenge to authorization or consent requirements was made in any of those communications.
- Now, your October 29 letter states that the Developer does not believe any SHOA authorization, consent, or agreement is needed or required. You include no support for that “belief”. We would draw your attention to multiple prior instances where the Developer was well aware of the SHOA approval requirement and acted upon it. By way of example only, please note the Blue Valley and Wallace Way agreements. Aside from those types of special agreements (i.e., authority and consent), there are no other agreements to allow access or street use for residential development.
- Moreover, statements in the October 17 Developer letter, and again in your October 29 letter, claiming the proposed development does not need authorization, consent, and agreement of the SHOA are ... at best... disingenuous. Let us not forget Mr. Illig’s personal letter dated October 10, which was read into the record at the P&Z hearing that same night. He stated that any use of the “Center Cut” was subject to a “fully executed Agreement with the HOA”. Suffice to say, the Developer cannot claim there should not be SHOA input and involvement allowed, while at the very same time acknowledging there must be an executed agreement with that very same SHOA.
- We are also surprised at the comments in your October 29 letter and the letter to Messrs Zerr and Shires of October 17, where you attempt to establish some sort of precedent by vague reference to prior (unspecified) rezonings that were apparently properties ALREADY within the boundaries of the SHOA and identified for future residential development. For this case, your own letters trumpet that the subject property is not within the current SHOA boundaries and the property was never identified for anything other than golf course. What both the October 17 and 29 letters fail to state is that the subject property MUST BE brought into the SHOA if the developer intends to use the access points, streets and other assets/amenities of the SHOA. That necessarily means the SHOA’s authority and consent for this development is required. Statements to the contrary are without substance or support.

We note your confirmation that you read the prior P&Z submittal, and also listened to the presentation. You will certainly recall from those submittals the SHOA’s open confirmation that rezoning authority is a quasi-judicial function of the Village of Loch Lloyd, and not the SHOA. No one associated with the SHOA has ever said a rezoning application under Missouri statutory authority requires SHOA approval. With due respect, statements stating or intimating the contrary

in either the October 17 or October 29 letters are simply incorrect. But, there most certainly has been significant reference to the unique make-up of actual operations of the Loch Lloyd community. The governance in place creates a situation where legal rezoning authority is ceded to the Village, but there also exists a practical reality that any rezoning/development proposal must have the approval and consent of the water authority AND the SHOA, in order to be built. Any development proposal mandates access to water, sewer, gates, and roads. A rezoning without authorization and consent of the water authority and SHOA is a meaningless zoning designation because it cannot be built or accessed without them. The SHOA has referred to the authorization and consent as a requirement of "practical reality". We respectfully suggest that knowing the in-fill project can actually be built without creating damage or value injury to the existing homes within the community is a paramount priority.

The October 17 letter also argues to the Village staff that even mere consideration of the positions and concerns of the SHOA (and thus all of its residents) would be "arbitrary and capricious" on the part of the Village. Nothing could be further from the truth. In fact, the opposite is true. A failure of zoning authorities to properly consider the actual impacts of this rezoning request, the positions and objections of neighboring associations and residents, failure to follow the published requirements for rezoning applications, failure to recognize the existing access restrictions, lack of access alternatives, and failure to address the lack of agreement for use of private streets, are **all** examples of the types of things that will fuel an arbitrary, capricious, and illegal action argument. Instructing planners to ignore views and commentary of constituents immediately adjoining the subject property would be, by any legal measure, improper and most certainly a capricious instruction.

The gates and streets at issue for your proposal are property of the SHOA. They are private and cannot be accessed except by authority and consent of the SHOA board. Again, this has been a constant position of the SHOA and has not been challenged by the Developer or their predecessors in any way. If you have authority to the contrary, we are certain you would have provided it. Once again, we believe it is your burden to produce it. Any claim that the SHOA lacks authority and autonomy over the access to and use of its own private gates and streets is a claim without substantial basis in fact or law. As a result, the SHOA authorization and consent to add property or use its assets is an absolute requirement for development. Despite the recent clear and obvious attempts of the developer to exert his will and circumvent these necessary procedures and protocols, it will not work that way. The SHOA will not be bullied.

The SHOA suggestion is that we unlock horns and collectively get beyond this issue. To do that we must all recognize that developing within a community where all of the gates, security, streets, common areas, community amenities are private and owned in fee and controlled by the existing HOA, requires pre-approval and consent of that SHOA. That is why the SHOA has asked (more times than I can remember) for a seat at the design and development table to discuss how best to address potential any additional development in a manner that not only maintains the integrity and value of the current developed community, but also adds value to the community for the future. To date, those requests have been routinely denied or simply ignored (the most recent example

being the unilaterally cancelled meeting of October 30). We ask that those requests be reconsidered. Further, having an understanding (and maybe even written agreement) with the SHOA on what can be built and where would seem to be a "practical" positive for all concerned.

A few more thoughts. Paragraph 1 of your letter juxtaposes comments about an incomplete application with comments about authority and consent of the SHOA. The current application is by definition ... incomplete. The SHOA submittal of October 10 to the P&Z Commission sets forth multiple sections which mandate submittal of certain identified studies and materials **prior to or contemporaneously** with the filing of a rezoning application. Those mandates simply were ignored. Again, we note from the October 17 letter the position that you believe the application is complete, yet you make no reference to the failures in the Application to meet the "shall" requirements of the regulatory protocols.

Further, the existing CC&Rs bind and limit the SHOA and any Developer with respect to what can be built in the SHOA. Those CC&Rs are there for the protection of the development already in place. **It is undeniable that SHOA residents bought golf course lots on the Sechrest 9 with a marketed understanding that they would continue to have the Loch Lloyd country club golf course adjoining or adjacent to their property. Making reasonable efforts to protect those existing investments within the Loch Lloyd community remains paramount.** That is why street design and density remain hot-button issues. Limiting any new development to designs which are in keeping with the quality of the surrounding residential areas, remains a major goal. If the new acreage is to be accepted into the SHOA and given access to gates, streets, and amenities, then compliance with CC&Rs acceptable to the SHOA (and in keeping with existing quality of development and construction) must be a priority.

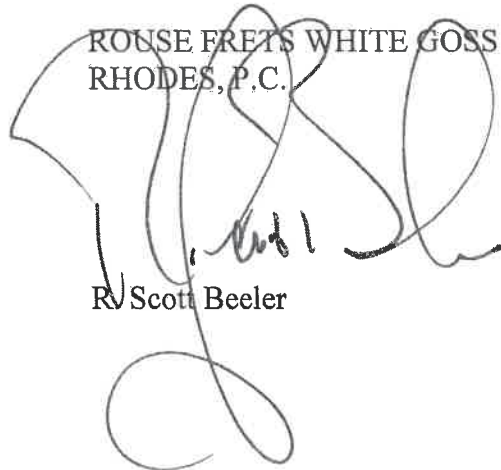
Your letter indicates you "have learned the SHOA has expressed concerns about the HOA being 'at capacity' for new homes". Let me just say that I am not aware of the SHOA or its Board members expressing that concern. I can say that the Board has been asked by residents in the past about how many homes they anticipate to be in the community. There are several documents out there making general reference to +/- 400 homes. It stands to reason that the original infrastructure was sized and designed with a development density in mind. The issue of build out should always be a concern of the SHOA to be certain that services, utilities, amenities, design beauty, streets, gates/security, and way of cultural life are continuously protected for all concerned. That means that any proposals for additional development must be scrutinized to be certain the existing planned community is protected and properly maintained.

Lastly, you have asked what the SHOA wants in order to offer support for the proposed development. Unfortunately, that "ask" appears to be merely a check the box cover. To be clear for the record, the SHOA has made multiples of requests over what is now years, to sit down with Developer representatives to discuss potential future use of the entirety of the Sechrest 9. Until a month or so ago, all of those requests fell on deaf ears. Then, as this current application was filed, the Developer representatives suddenly were willing to start meeting. Two meetings took place and general subject matters were discussed. We advised the P&Z about those meetings and added

that a third meeting had been scheduled for October 30. We added that **both parties** had expressed a willingness to continue to meet and foster better communications. Obviously, that changed when the Development team then decided to unilaterally terminate those communications. So, with due respect, your "ask" for what the SHOA wants, has not been received favorably by the SHOA Board. This is especially true given the Developer now is on record saying he is not interested in what the SHOA has to say or what concerns they may have on behalf of their members. His position of record is now that the SHOA and its members have no say. We respectfully disagree, but if the statements and declarations in the October 17 and 29 letters are truly the Developer's positions on these issues, then the SHOA board declines to further participate in what would clearly be a meaningless exchange.

Respectfully,

ROUSE FRETTS WHITE GOSS GENTILE
RHODES, P.C.

A large, stylized handwritten signature in black ink, appearing to be 'Scott Beeler', is written over the typed name and company name.

RV Scott Beeler

RSB:vaw
cc: SHOA Board members

VILLAGE OF LOCH LLOYD
BOARD OF TRUSTEES STAFF REPORT
FEBRUARY 28, 2025 MEETING
AGENDA ITEM: 6a. REZONING – SECHREST



EXHIBIT 11
LETTER FROM THE SOUTH LOCH LLOYD HOMES ASSOCIATION DATED DECEMBER 5, 2024.



16745 Country Club Drive
Village of Loch Lloyd, MO 64012
www.lochlloyd-hoa.com

December 5, 2024

Mr. Chairman and Members of the Village of Loch Lloyd Planning & Zoning Committee:

At the meeting of the Committee on October 10, 2024, a request was made by the P&Z Committee that the South Loch Lloyd Homes Association ("SHOA") provide a report on progress of meetings and discussions with S9-Redev, LLC, the Applicant, as relates the pending application for rezoning of a portion of the property often referred to as the "Sechrest". We were to provide that report prior to the next scheduled meeting of the Committee when the rezoning and development application would be considered. We left that meeting with hopes that our long unsuccessful history of requesting a seat at the table to have dialogue and input with the Applicant prior to any redevelopment applications with the Village, was finally coming to fruition. Unfortunately, our hopes were dashed by actions of the Applicant.

We learned the Applicant sent a letter (dated October 17, 2024), to your staff stating that even though they had been directed to work with the SHOA to seek its authority and consent to access the proposed area of rezoning and development and to use the SHOA gate and street infrastructure both during construction and in the after of construction for the ultimate purchasers of the proposed 48 homes/lots, they had made the internal decision to refuse to comply with those directives. The Applicant was also directed by the Committee to conduct the various impact studies required for inclusion in the rezoning application. They were advised that the application was not 'complete' without the filing of those studies. The Applicant's October 17 letter states that the Applicant refuses to provide those required documents and further refuses to meet or otherwise discuss the Redevelopment plan or request for Rezoning with the SHOA. The Applicant then made unilateral demand that its rezoning application be placed back on the Committee agenda for ruling. That unilateral demand brings us here tonight.

We further add that we had scheduled a meeting with the Developer for October 30. The Developer cancelled that meeting just two days before (October 28) (claiming a scheduling conflict) when they knew they had weeks before advised P&Z staff that they would not engage negotiations with the SHOA.

Loch Lloyd Homes Association, Kristin Fyler, Onsite Manager, 913-208-4995, manager@lochloydhoa.com

Please let this report serve as confirmation that the SHOA was ready, willing, able, and even excited to entertain Development and Rezoning meetings with the Applicant. The letter from the Applicant to staff makes clear that the Applicant does not intend to comply with any of the "asks" of the Committee. It should also be emphasized that the SHOA was not even provided the courtesy of a copy of Applicant's letter to staff. Further, the Applicant has not sent **any** communication (written or oral) to the SHOA to state that they do not intend to meet and discuss the intentions for the project.

AS A RESULT, OUR PROGRESS REPORT IS SADLY A REPORT OF NO PROGRESS AT ALL. This attitude exhibited by the Developer/Applicant is more of the same that has so frustrated well intending SHOA board members for 2+ years.

We previously stated on the record that the proposed rezoning constitutes infill development within the outer boundaries of the SHOA community. The only access to the proposed rezoning is via SHOA secured gates and by SHOA privately owned streets. On its face, the proposed development includes no added value or enhancements to the SHOA and no new amenities for the SHOA community. The SHOA board would have happily discussed any proposal for added community value, but it was refused that opportunity. The Applicant's letter even went so far as to say that no decision had been made as to what, if any, HOA would be in line to house the new rezoning area. That is an odd statement, at best, when the proposed rezoning area must necessarily use SHOA property and assets to make way to the property. It is even more odd when the rezoning application itself makes reference to folding into the SHOA. The existing SHOA boundaries surround the property suggested for rezoning. This rezoning application is not a necessity. It is simply an attempt to make the prior existing golf course into a real estate development opportunity for the sole financial benefit of the property owner. It is an elective action.

Since the proposed meetings were taken off the table by the unilateral action of the Applicant, the list of questions and concerns of the SHOA never saw that light of day. While not an inclusive list, we remind the Committee that the primary goal of the SHOA is to preserve and enhance the investment value, lifestyle, and quality of life for the existing and future residents of the community. We would have anticipated discussions with the Applicant to include:

- negative impact potential on SHOA security and infrastructure due to significant and lengthy construction periods;
- negative impact potential on existing open space and recreational areas;
- MASTER Plan for the entirety of the "Sechrest NINE";
- Deed restrictions to prevent future redevelopment of Sechrest holes 5-9 (a/k/a "The Center Cut");
- analysis of traffic impacts;

Loch Lloyd Homes Association, Kristin Fyler, Onsite Manager, 913-208-4995, manager@lochlloydhoa.com

- analysis of stormwater/drainage impacts;
- analysis of potable water availability and pressure (and impacts on existing service);
- impact on Loch Lloyd Lake siltation timetables and lake water quality;
- project design (seeking assurance that home/lot sizes and quality were in keeping with existing construction standards in the community);
- project lay-out and home/lot densities;
- and cost analysis to determine if the addition of SHOA ground area and home numbers would create a potential SHOA dues increase to account for them.

Again, these are but examples of what we had anticipated to be necessary and prudent points of discussion.

The simple fact is that the SHOA cannot and will not accept the proposed rezoning property into the SHOA, nor can we allow the owner of the proposed rezoning area or subsequent buyers of developed lots in that area to access via SHOA secured gates and private streets, until and unless the necessary questions are answered, studies are completed, and proper assurances are in place. Given the Applicant has foreclosed any glimmer of hope of getting these issues resolved, the SHOA is left with no option except to state that due to the Applicant's unilateral refusal to work with the SHOA to find common ground, it cannot support the proposed rezoning, and it will not allow the use of its private property and assets for purpose of the proposed redevelopment.

Respectfully submitted.

South Loch Lloyd Homes Association

Bob Bloss, President
Frank Janoski, Vice President
Sharon Slusher, Secretary
Linda Enright, Treasurer
Chip Anderson, Director

VILLAGE OF LOCH LLOYD
BOARD OF TRUSTEES STAFF REPORT
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EXHIBIT 12
ASSORTED E-MAILS FOR RECORD 2024-12-05



new submission from Contact Us

message

Tue, Dec 3, 2024 at 1:47 F

oan Nohe <sloan@gioiallc.com>
Reply-To: sloan@gioiallc.com
From: villageofftrustee@gmail.com

Name

Sloan Nohe

Email

sloan@gioiallc.com

AGAINST

Comment or message

In response to the email from the South HOA on November 13th regarding updates to development of the Sechrest, I wish to go on the record to express my gratitude for the HOA and its attorney looking out for our best interests. I see nothing but negative impact on our property and the entire community if the Sechrest development proceeds.

@ Yes
1 NO



ezoning

CHRIS DILLON

message

erry Dillon <arrydillon@kc.rr.com>
villageofiltrustee@gmail.com

Mon, Dec 2, 2024 at 9:58 A

Hope you had a perfect thanksgiving.
I am for limited, tasteful development of the Sechrest.
I am a big picture guy so I'm sure that there are obstacles, impacts, costs etc that I am naive to.
Status quo is not in the best interest of our neighborhood
Thank you.
Thank you
For your service to this community

FOR



Planning and zoning - sechrest

message

Tue, Dec 3, 2024 at 3:15 F

Henry Heimsoth <HHeimsoth@greatsouthernbank.com>
: Anthony Lafata <villageoflltrustee@gmail.com>

Dear Tony,

In anticipation of the planning and zoning meeting this week, I wanted to share my perspective on the development plan. I have owned two houses on the old sechrest course, since 2015 and like many have experienced the last four years of consternation and sadness with the closing of the course. However things must change to ensure the viability of the community and the club and progress can be painful. I share many of my neighbors feelings about the loss of the golf course. It is certainly my hope that the "center cut" remains greenspace for the community or even better yet some day hopefully a par 3 golf course.

In my opinion, the plan that has been developed is a good option to move forward for all of the stakeholders. It appears that the berming, landscaping, and design of the addition is in keeping with the character of the community and much has been done to alleviate concerns with minimal disruption to the majority of residents. With that said, the additional housing units will impact our community, with construction, but I believe it is in everyone's best interest to approve the plan as presented. Obviously, there will be more planning to be done to ensure our water, streets and community will be properly designed etc to handle the additional load on the infrastructure. But with my experience as a real estate lender, and based on my understanding and experience of real estate development, I believe it to be appropriate to grant the zoning prior to completing all of the engineering studies.

Respectfully,

Henry Heimsoth

140-street-of-dreams

FOR



Henry Heimsoth | Director of Commercial Lending

Great Southern Bank | Commercial Lending

11050 Roe Ave Suite 200 | Overland Park, KS 66211

Phone: (913) 345-2803 | Mobile: (816) 805-5389 | Fax: (855) 432-0767

HHeimsoth@greatsouthernbank.com | www.greatsouthernbank.com

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he Village of Loch Lloyd rezoning proposal for December 5, 2024

messages

rry <Jerry@jifamily.com>
: Anthony Lafata <villageoflltrustee@gmail.com>

Mon, Dec 2, 2024 at 8:23 A

Dear Mr. Lafata:
I want to first take a moment and say thank you, along with other committee members, for your service to our community in the Village. I know that it is not only a time commitment but also very much a personal commitment for everyone on the committee and their families. Please know that it is appreciated.

As a resident here at The Village of Loch Lloyd I want to express my support to the developer for the proposed planning and rezoning within the Village for the land of the former Sechrest property. I think the proposed zoning has been carefully thought out and planned well with many acres of still "open space". It appears to me that the developer has taken into consideration all things over the last few years that has been discussed between all parties exhaustively and that we need to now get things moving. When I look at what the "north" side of our community looks like, I would have to say the developer has done an incredible job as it looks fantastic. Driving through their gates makes me and most others as proud as driving through our own gates.

Please accept this as a yes, to rezone and make it possible to start first steps for finishing the vision and make this entire community one that envies all others in the region. Exciting times ahead if we can make this next step in the process happen.

Thank you,

FOR

Jerry Schaefer
~~200 Haver Knoll~~

ff Wilson <jeff@thewilsongroupinc.com>
: Anthony Lafata <villageoflltrustee@gmail.com>
: Jerry <Jerry@jifamily.com>, Janet Wilson <janet@thewilsongroupinc.com>, Jordan Wilson <jordan@thewilsongroupinc.com>

Mon, Dec 2, 2024 at 10:29 A

Tony,

Janet and I echo Jerry's message below. We are in favor of moving forward with the proposed plans.

Thank you and the board for your service to our community.

Jeff Wilson

FOR

The Wilson Group, Inc.

13510 Oak Street

Kansas City, MO 64145

816-365-0856



e-zoning Letter of Support

message

Wed, Dec 4, 2024 at 4:18 F

ara Witte <dwitte24@outlook.com>
: "villageoflltrustee@gmail.com" <villageoflltrustee@gmail.com>

Dear Tony,

I hope this letter finds you well. I am writing to express my strong support for the re-zoning and development of the Seacrest property within our community. I believe this initiative will significantly enhance our neighborhood by attracting new families, increasing current home values and revitalizing an area that is currently lacking in beauty and vibrancy.

The re-zoning and development of the Seacrest property represent an exciting opportunity for Loch Lloyd. By welcoming new residents and fostering a sense of community, we can create a thriving environment that benefits all homeowners. I wholeheartedly support the process set forth by the Planning and Zoning Commission and appreciate the thoroughness and thoughtfulness that has gone into these proceedings.

It is imperative that all parties involved approach this project with an attitude of collaboration and teamwork. Open communication and cooperation will be vital to ensure a smooth process and a successful outcome that aligns with the interests of our neighborhood and its residents.

I also want to take this opportunity to express my gratitude to everyone currently working to make our community great. Your dedication and efforts do not go unnoticed, and I am genuinely excited about the potential transformations our community will experience in the near future.

Sincerely,

Dara Witte

Sent from my iPhone

For



wd: The Village of Loch Lloyd rezoning proposal for December 5, 2024
message

Tue, Dec 3, 2024 at 12:53 F

my Lafata <lafata3jl@gmail.com>
<Anthony Lafata <villageofflrustee@gmail.com>

Sent from my iPhone

Begin forwarded message:

From: Tim Gaigals <tim@tfbusa.com>
Date: December 3, 2024 at 12:38:53 PM CST
To: lafata3jl@gmail.com
Subject: FW: The Village of Loch Lloyd rezoning proposal for December 5, 2024

Hi Tony

FOR

I hope this is your correct email. I just wanted to pass along a quick note that I do agree with what Jerry said below. He said it well.

Thanks and hope you and your family have a great Holiday!

TG

Timothy J. Gaigals, CFP® | Tax Favored Benefits, Inc. | TFB Advisors, LLC

4801 W. 110TH STREET, SUITE 200 | OVERLAND PARK, KS 66211

PHONE 913.648.5526 | FAX 913.648.6798

tim@tfbusa.com

Cancel Fwd: Scott Beeler Su... 

Subject: Scott Beeler Submission

My name is Ernie Dippel living at 16830 Grace Dr. with my wife Violette. We built this house in 2000 but moved to Loch Lloyd in 1995 on Heather Lane. We are very close to 30 year residents. We have loved every minute! Loch Lloyd in our mind in is one of the finest communities in the Nation. We had charter Golf Membership number 51. The closing of Sechrest course has created problems on several

2

ERNIE DIPPEL

Beel Fwd: Scott Beeler Su... 

fronts. HOA attorney

Scott

Beeler wrote a fabulous Submission to the Board perfectly outlining each aspect. The submission on a PFD in an email to members is so tiny it is very hard to read. I made about 20 hard copies which make it easy and handed out to some neighbors. I note at last night's meeting you had made a hardcopies also. I think it would be very valuable to send a Hard copy to all 77 Homes involved. Thank you Kris.

Ernie

Scott f... 

VILLAGE OF LOCH LLOYD
BOARD OF TRUSTEES STAFF REPORT
FEBRUARY 28, 2025 MEETING
AGENDA ITEM: 6a. REZONING – SECHREST



EXHIBIT 13
PROTEST PETITIONS RECEIVED

**PETITION PROTESTING REZONING
TO THE BOARD OF TRUSTEES OF THE VILLAGE OF LOCH LLOYD, MISSOURI**

The undersigned, do protest and object to the proposed rezoning set forth in the Application for Rezoning submitted by the property owner, 39-Rodew, LLC, requesting that portions of the 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 Seckrest, 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. Please take notice that the undersigned, being the owners of real property located within an area of land (exclusive of streets) determined by lines drawn parallel to and one hundred eighty-five (185) feet from the boundaries of the above-described tract of land, submit this petition as our protest against the above application in accordance with the provisions of RSMo § 89.060.

Printed Name(s)	Owner(s) Address	Owner(s) Signature(s)
Eugster, Werner R & Carol M Trust	16890 Meadow Ln Village of Loch Lloyd	Werner R Eugster
Werner R. Eugster, Trustee	MO. 64012	

Petitions will not be accepted without the signatures of all property owners who have an interest in the property identified by this petition. Filed petitions must be notarized. Use additional petition forms if necessary.

Notice to Petitioner(s): In accordance with RSMo § 89.060, any protest against such change of zoning district shall be duly signed and acknowledged by the owners of thirty percent or more of the areas of the land (exclusive of streets and alleys) within an area determined by lines drawn parallel to and one hundred and eighty-five feet distant from the boundaries of the district proposed to be changed, such amendment shall not become effective except by the favorable vote of two-thirds of all the members of the legislative body of such municipality.

STATE OF MISSOURI)
)ss:
COUNTY OF CASS)

On this 20th day of DECEMBER, 2024, before me personally appeared the above named persons known to me to be the persons described, who being duly sworn by me, acknowledged that they executed the foregoing instrument for the uses and purposes therein contained.

LOUIS GEORGE VAN HORN
NOTARY PUBLIC, NOTARY SEAL
STATE OF MISSOURI
CASS COUNTY
COMMISSION # 20479501
MY COMMISSION EXPIRES: SEPTEMBER 14, 2028

Louis George Van Horn

Notary Public
My commission expires: SEPTEMBER 14, 2028

Petitions must be filed with the Village Clerk of the Village of Loch Lloyd, Missouri
Tony Lafata, Clerk, The Village of Loch Lloyd, 16897 Highland Ridge, Village of Loch Lloyd, MO 64012

**PETITION PROTESTING REZONING
TO THE BOARD OF TRUSTEES OF THE VILLAGE OF LOCH LLOYD, MISSOURI**

The undersigned, do protest and object to the proposed rezoning set forth in the Application for Rezoning submitted by the property owner, S9-Redev, LLC, requesting that portions of the 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. Please take notice that the undersigned, being the owners of real property located within an area of land (exclusive of streets) determined by lines drawn parallel to and one hundred eighty-five (185) feet from the boundaries of the above-described tract of land, submit this petition as our protest against the above application in accordance with the provisions of RSMo § 89.060.

Printed Name(s)	Owner(s) Address	Owner(s) Signature(s)
TIMOTHY R HARE	116500 S GRACE DR	[Signature]
SUSAN B. HARE	116800 S. COYNE DR	[Signature]
HARE Family Trust	Revocable	[Signature]

Petitions will not be accepted without the signatures of all property owners who have an interest in the property identified by this petition. Filed petitions must be notarized. Use additional petition forms if necessary.

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STATE OF MISSOURI)
)ss:
COUNTY OF Cass)

On this 11 day of December, 2024, before me personally appeared the above named persons known to me to be the persons described, who being duly sworn by me, acknowledged that they executed the foregoing instrument for the uses and purposes therein contained.

BENJAMIN RAY OSWALD
Notary Public-Notary Seal
STATE OF MISSOURI
Cass County
My Commission Expires: May 5, 2026
COMMISSION #22248135

[Signature]
Notary Public

My commission expires: May 5, 2026

**PETITION PROTESTING REZONING
TO THE BOARD OF TRUSTEES OF THE VILLAGE OF LOCH LLOYD, MISSOURI**

The undersigned, do protest and object to the proposed rezoning set forth in the Application for Rezoning submitted by the property owner, S9-Redev, LLC, requesting that portions of the 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. Please take notice that the undersigned, being the owners of real property located within an area of land (exclusive of streets) determined by lines drawn parallel to and one hundred eighty-five (185) feet from the boundaries of the above-described tract of land, submit this petition as our protest against the above application in accordance with the provisions of RSMo § 89.060.

Printed Name(s)	Owner(s) Address	Owner(s) Signature(s)
THE RICHARD L. MARR AND JANET S. MARR TRUST AGREEMENT	17600 HERTHER LN	R. Marr, Trustee

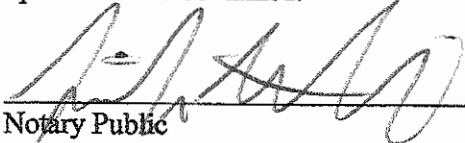
Petitions will not be accepted without the signatures of all property owners who have an interest in the property identified by this petition. Filed petitions must be notarized. Use additional petition forms if necessary.

Notice to Petitioner(s): In accordance with RSMo § 89.060, any protest against such change of zoning district shall be duly signed and acknowledged by the owners of thirty percent or more of the areas of the land (exclusive of streets and alleys) within an area determined by lines drawn parallel to and one hundred and eighty-five feet distant from the boundaries of the district proposed to be changed, such amendment shall not become effective except by the favorable vote of two-thirds of all the members of the legislative body of such municipality.

STATE OF MISSOURI)
)ss:
COUNTY OF Jackson)

On this 26th day of November, 2024, before me personally appeared the above named persons known to me to be the persons described, who being duly sworn by me, acknowledged that they executed the foregoing instrument for the uses and purposes therein contained.

JENNIFER STAFFORD
NOTARY PUBLIC - NOTARY SEAL
STATE OF MISSOURI
MY COMMISSION EXPIRES FEBRUARY 6, 2026
CASS COUNTY
COMMISSION #14576270



Notary Public

My commission expires: February 6, 2026

PETITION PROTESTING REZONING
TO THE BOARD OF TRUSTEES OF THE VILLAGE OF LOCH LLOYD, MISSOURI

The undersigned, do protest and object to the proposed rezoning set forth in the Application for Rezoning submitted by the property owner, S9-Redev, LLC, requesting that portions of the 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. Please take notice that the undersigned, being the owners of real property located within an area of land (exclusive of streets) determined by lines drawn parallel to and one hundred eighty-five (185) feet from the boundaries of the above-described tract of land, submit this petition as our protest against the above application in accordance with the provisions of RSMo § 89.060.

Printed Name(s)	Owner(s) Address	Owner(s) Signature(s)
Schaller Hermann	16837 Highland Ridge Dr. Vill of Loch Lloyd, MO 64012	<i>Hermann Schaller</i>
Schaller Christa	16837 Highland Ridge Dr. Vill. of Loch Lloyd, MO 64012	<i>Christa Schaller</i>

Petitions will not be accepted without the signatures of all property owners who have an interest in the property identified by this petition. Filed petitions must be notarized. Use additional petition forms if necessary.

Notice to Petitioner(s): In accordance with RSMo § 89.060, any protest against such change of zoning district shall be duly signed and acknowledged by the owners of thirty percent or more of the areas of the land (exclusive of streets and alleys) within an area determined by lines drawn parallel to and one hundred and eighty-five feet distant from the boundaries of the district proposed to be changed, such amendment shall not become effective except by the favorable vote of two-thirds of all the members of the legislative body of such municipality.

STATE OF MISSOURI)
COUNTY OF Jackson) ss:

On this 4th day of December, 2024, before me personally appeared the above named persons known to me to be the persons described, who being duly sworn by me, acknowledged that they executed the foregoing instrument for the uses and purposes therein contained.

MACKENZIE N. SINCLAIR
Notary Public-Notary Seal
STATE OF MISSOURI
Cass County
My Commission Expires Jan. 29, 2028
Commission # 19657704

Mackenzie Sinclair

Notary Public

My commission expires: Jan 29, 2028

PARCELID	DeedHold	MailAdd1	MailAdd2	MailCity	MailStat	MailZip	Acre
050308000013007000	MARTIN, BRIDGET Q TR	16735 VILLAGE DR		LOCH LLOYD	MO	64012-4166	0.03
050308000013006000	ANGOLD, THOMAS J & LEAH A	16730 VILLAGE DR		LOCH LLOYD	MO	64012-0000	0.01
050308000013001000	TEAGUE, LINDA M	16780 VILLAGE DR		LOCH LLOYD	MO	64012-4166	0.01
050308000000001022	GANGRIWALA TRUST	16740 S COUNTRY CLUB DR		LOCH LLOYD	MO	64012-0000	0.28
050308000013002000	TRENT, DARRELL M TR	107 W 11TH ST		PITTSBURG	KS	66762-0000	0.07
050308000000001003	STOCK, CHRISTOPHER D & NATASHA L	40 W DUNDEE CT		LOCH LLOYD	MO	64012-4168	0.29
050308000013003000	KNOTEK, F JAMES & TRUDY K	16760 VILLAGE DR		LOCH LLOYD	MO	64012-0000	0.03
050308000013004000	ELSBERRY, ANDREW & TEMPE OSTERGREN	16750 VILLAGE DR		LOCH LLOYD	MO	64012-4166	0.21
050308000000001007	HAMER, JACK E & PAMELA D	730 SUFFOLK LN		LOCH LLOYD	MO	64012-3377	0.29
050308000000001020	MASSIMINO, JOSEPH J & CELIA TR	16730 COUNTRY CLUB DR		LOCH LLOYD	MO	64012-0000	0.23
050308000013005000	STECKELBERG, CATHY TR	16740 VILLAGE DR		LOCH LLOYD	MO	64012-0000	0.15
050308000000001023	LL-J3-PANDI LLC	PO BOX 14146		KANSAS CITY	MO	64152-0646	0.18
050308000000001004	MOTAREF, ALEX	760 SUFFOLK LN		LOCH LLOYD	MO	64012-0000	0.22
050308000000001019	OWEN, DEBORAH RENEE TR	16720 COUNTRY CLUB DR		LOCH LLOYD	MO	64012-0000	0.05
050308000000001005	FRANZESKOS, JOHNNIE & ANGIE	750 SUFFOLK LN		LOCH LLOYD	MO	64012-3377	0.22
050308000000001006	RIPPY, LINDA K TR	740 SUFFOLK LN		LOCH LLOYD	MO	64012-3377	0.22
050308000000001021	OLMSTED, DARON & KELLY	16736 COUNTRY CLUB DR		LOCH LLOYD	MO	64012-0000	0.27
050308000000001040	S9-REDEV LLC	11150 OVERBROOK RD	STE 210	LEAWOOD	KS	66211-0000	5.37
050308000000001002	THE COUNTRY CLUB AT LOCH LLOYD LLC	PO BOX 14164		PARKVILLE	MO	64152-0664	3.31
	South HOA						0.14
	South HOA ROW						3.83
	State ROW (Holmes)						2.07
050308000012009000	MCGEENEY, TERRY L & SUSAN D TR	16800 COUNTRY CLUB DR		LOCH LLOYD	MO	64012-4126	0.04
050308000012002000	CHIARELLI, DAVID J & JENNIFER P	16801 COUNTRY CLUB DR		LOCH LLOYD	MO	64012-0000	0.21
050308000012001000	BAKER, ERIC R & ANGELA K TR	829 ELM CT		MARCO ISLAND FL		34145-2108	0.00

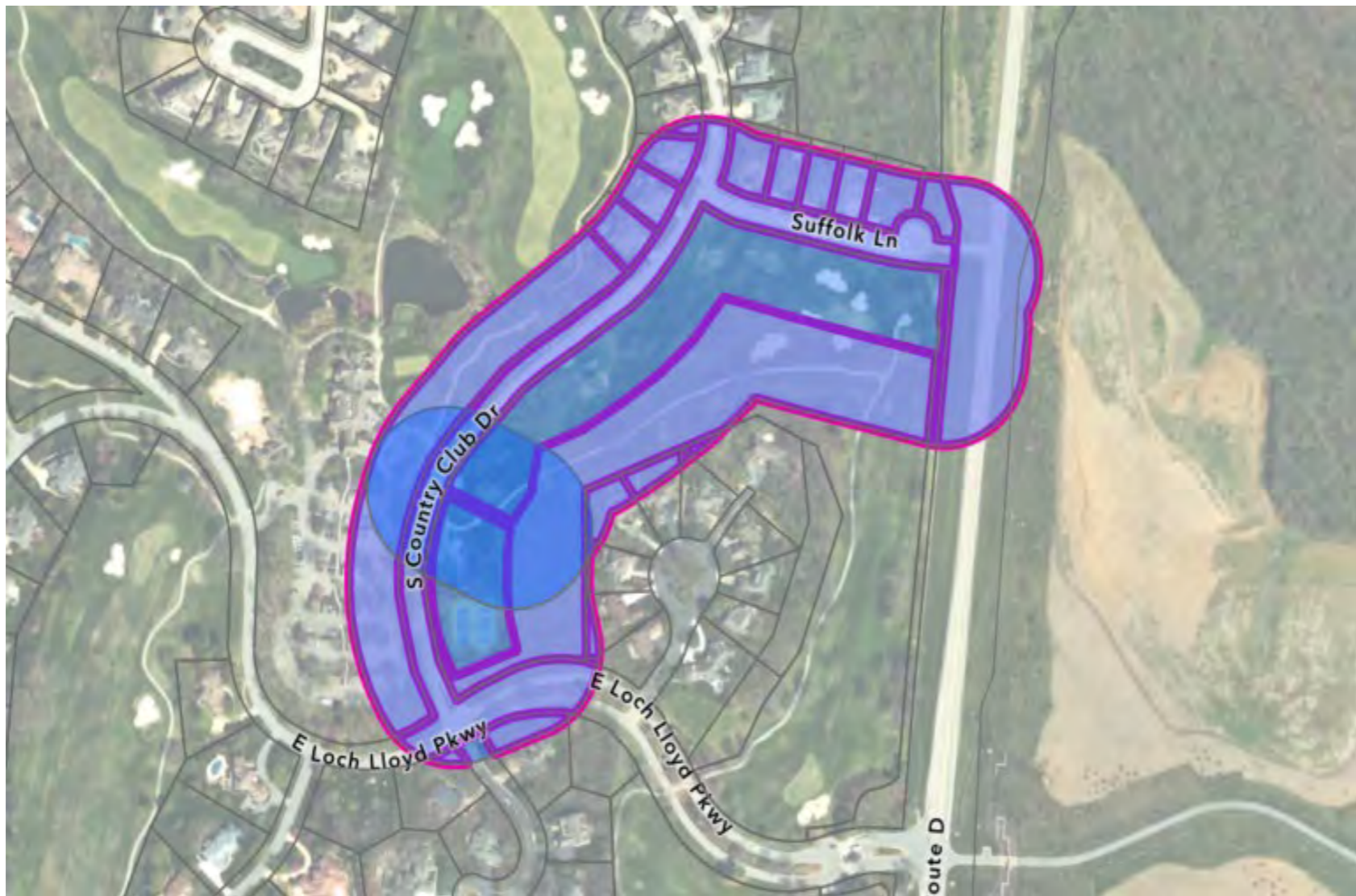
Parcels for which a protest petition has been received are highlighted in yellow

17.73 Total acres

5.32 30% of total

5.95 Protest acres

33.54% Protest percentage



PARCELID	DeedHold	MailAdd1	MailAdd2	MailCity	ailCo	MailStat	MailZip	AcreNew
050308000011033000	RAMIREZ, JACK S & CAROL H	360 E LOCH LLOYD PKWY		LOCH LLOYD		MO	64012-4134	0.06
050308000011034000	BLEDSE TRUST	380 E LOCH LLOYD PKWY		LOCH LLOYD		MO	64012-4134	0.23
050308000007021000	HARE FAMILY REVOCABLE TRUST	16800 GRACE DR		LOCH LLOYD		MO	64012-4172	0.08
050308000007020000	GALANT, DOUG	17181 S JAMI LYNN LN		VLG LOCH LOYD		MO	64012-4122	0.54
050308000007017000	FEUERBORN, JOSEPH H & LISA M	16785 HIGHLAND RIDGE		LOCH LLOYD		MO	64012-0000	0.15
050308000007018000	COFFMAN, RICHARD T & BRENDA R	16775 HIGHLAND RIDGE		LOCH LLOYD		MO	64012-0000	0.53
05030800000001040	S9-REDEV LLC	11150 OVERBROOK RD	STE 210	LEAWOOD		KS	66211-0000	2.22
05030800000001098	LOCH LLOYD HOMES ASSOCIATION	2180 W STATE ROAD 434 STE 5000		LONGWOOD	% SE FL		32779-0000	0.56
05030800000001002	THE COUNTRY CLUB AT LOCH LLOYD LLC	16750 COUNTRY CLUB DR		LOCH LLOYD		MO	64012-4124	2.24
	South HOA ROW							1.90

Parcels for which a protest petition has been received are highlighted in yellow

8.50 Total acres

2.55 30% of total

3.12 Protest acres

36.69% Protest percentage



PARCELID	DeedHold	MailAdd1	MailAdd2	MailCity	MailCont	MailStat	MailZip	AcreNew
050308000007001000	MYERS, RONALD J & LINDA S TR	16885 HIGHLAND RIDGE		LOCH LLOYD		MO	64012-0000	0.59
050308000006020000	RYAN, WILLIAM P & LARA L	85 E DUNDEE CIR		LOCH LLOYD		MO	64012-4184	0.53
050308000006021000	BINAGGIO, JOHN C & KAREN A	20 W DUNDEE CT		LOCH LLOYD		MO	64012-0000	0.35
050308000005027000	LAFATA, ANTHONY J & JULIE G	14222 EBY		OVERLAND PARK		KS	66221-0000	0.39
050308000005025000	BURKS, ALEC M TR ETAL	1503 MAIN ST PMB 171		GRANDVIEW		MO	64030-0000	0.02
050308000006013000	BEHRMANN, JOHN K & MARY ELLEN	16888 HIGHLAND RIDGE		LOCH LLOYD		MO	64012-0000	0.01
050308000007002000	WITHEY, HOWARD G & RUTH F TR	16879 HIGHLAND RIDGE		LOCH LLOYD		MO	64012-0000	0.17
050308000005024000	LIND, DAVID J & LAURIE L	30 STREET OF DREAMS		LOCH LLOYD		MO	64012-0000	0.02
050308000006014000	CONRAD, TODD A & CARA S	80 E DUNDEE CIR		VLG LOCH LOYD		MO	64012-4184	0.33
05030800000001040	S9-REDEV LLC	11150 OVERBROOK RD	STE 210	LEAWOOD		KS	66211-0000	2.68
	South HOA ROW							1.09

Parcels for which a protest petition has been received are highlighted in yellow

6.19 Total acres

1.86 30% of total

1.70 Protest acres

27.48% Protest percentage



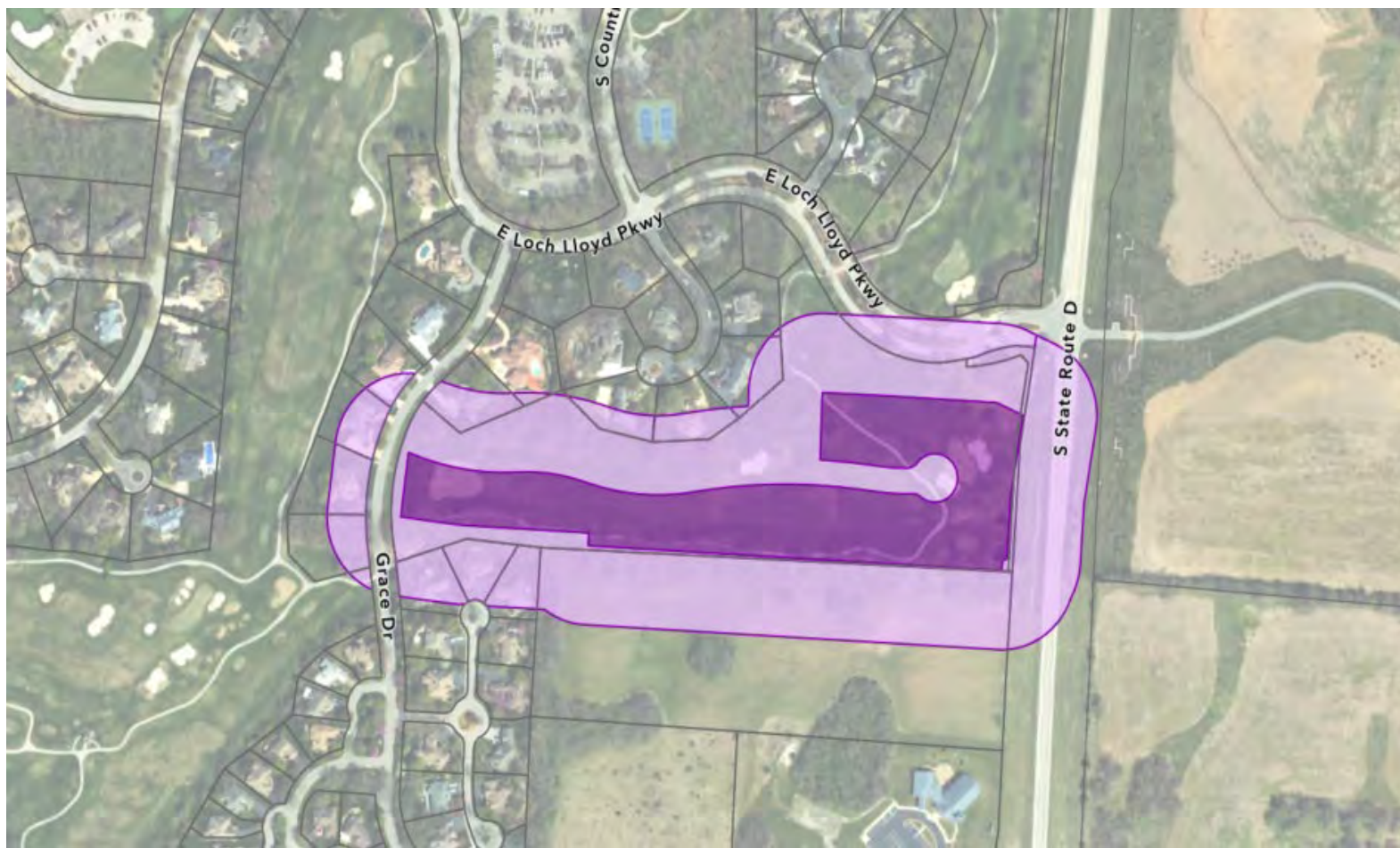
PARCELID	DeedHold	MailAdd1	MailAdd2	MailCity	MailCont	MailStat	MailZip	Acre
050308000015004000	ELDER, VAN TRUST	16895 MEADOW LN		LOCH LLOYD		MO	64012-0000	0.38
050308000007025000	PINNEY, JAMES D & SHARON KAY	16840 GRACE DR		LOCH LLOYD		MO	64012-0000	0.32
050308000012012000	NOHE, JOHN	16821 S GRACE DR		LOCH LLOYD		MO	64012-4172	0.38
050308000012005000	LAME, DARIEN	16831 COUNTRY CLUB DR		LOCH LLOYD		MO	64012-4127	0.28
050308000015005000	WISDOM INVESTMENTS REVOCABLE TRUST	16897 MEADOW LN		LOCH LLOYD		MO	64012-0000	0.33
050308000007023000	LUSBY, JAMES R & BETTY K	16820 GRACE DR		LOCH LLOYD		MO	64012-0000	0.11
050308000007026000	PINNEY, JAMES D & SHARON K	16840 GRACE DR		LOCH LLOYD		MO	64012-0000	0.26
050308000012011000	BARTLETT, THOMAS A & SHERIE L	16811 GRACE DR		LOCH LLOYD		MO	64012-0000	0.04
050308000015003000	EUGSTER, WERNER R & CAROL M TR	9116 W 141ST ST		OVERLAND PARK		KS	66221-2124	0.37
050308000012006000	ADKINS, JAMES U & JENNIFER L TR	16830 COUNTRY CLUB DR		LOCH LLOYD		MO	64012-0000	0.23
050308000012003000	SMITH, CORY L & MARILYN E TR	16811 COUNTRY CLUB DR		LOCH LLOYD		MO	64012-0000	0.01
050308000012004000	ELSBERRY, STEPHEN WESTLAKE TR	16821 COUNTRY CLUB DR		LOCH LLOYD		MO	64012-0000	0.23
050308000007024000	DIPPEL TRUST	16830 GRACE DR		LOCH LLOYD		MO	64012-0000	0.31
050308000000004000	NEIGHBORS, J MICHAEL & MELISSA A	PO BOX 533		BELTON		MO	64012-0000	4.82
050308000000001040	S9-REDEV LLC	11150 OVERBROOK RD	STE 210	LEAWOOD		KS	66211-0000	6.69
	South HOA							0.21
	South HOA ROW							0.80
	State ROW							2.54

Parcels for which a protest petition has been received are highlighted in yellow

18.30 Total acres

5.49 30% of total

8.20 Protest acres
44.82% Protest percentage



	PARCELID	DeedHold	MailAdd1	MailAdd2	MailCity	ailCo	MailStat	MailZip	Acre
AREA 1	050308000013007000	MARTIN, BRIDGET Q TR	16735 VILLAGE DR		LOCH LLOYD		MO	64012-4166	0.03
	050308000013006000	ANGOLD, THOMAS J & LEAH A	16730 VILLAGE DR		LOCH LLOYD		MO	64012-0000	0.01
	050308000013001000	TEAGUE, LINDA M	16780 VILLAGE DR		LOCH LLOYD		MO	64012-4166	0.01
	050308000000001022	GANGRIWALA TRUST	16740 S COUNTRY CLUB DR		LOCH LLOYD		MO	64012-0000	0.28
	050308000013002000	TRENT, DARRELL M TR	107 W 11TH ST		PITTSBURG		KS	66762-0000	0.07
	050308000000001003	STOCK, CHRISTOPHER D & NATASHA L	40 W DUNDEE CT		LOCH LLOYD		MO	64012-4168	0.29
	050308000013003000	KNOTEK, F JAMES & TRUDY K	16760 VILLAGE DR		LOCH LLOYD		MO	64012-0000	0.03
	050308000013004000	ELSBERRY, ANDREW & TEMPE OSTERGREN	16750 VILLAGE DR		LOCH LLOYD		MO	64012-4166	0.21
	050308000000001007	HAMER, JACK E & PAMELA D	730 SUFFOLK LN		LOCH LLOYD		MO	64012-3377	0.29
	050308000000001020	MASSIMINO, JOSEPH J & CELIA TR	16730 COUNTRY CLUB DR		LOCH LLOYD		MO	64012-0000	0.23
	050308000013005000	STECKELBERG, CATHY TR	16740 VILLAGE DR		LOCH LLOYD		MO	64012-0000	0.15
	050308000000001023	LL-J3-PANDI LLC	PO BOX 14146		KANSAS CITY		MO	64152-0646	0.18
	050308000000001004	MOTAREF, ALEX	760 SUFFOLK LN		LOCH LLOYD		MO	64012-0000	0.22
	050308000000001019	OWEN, DEBORAH RENEE TR	16720 COUNTRY CLUB DR		LOCH LLOYD		MO	64012-0000	0.05
	050308000000001005	FRANZESKOS, JOHNNIE & ANGIE	750 SUFFOLK LN		LOCH LLOYD		MO	64012-3377	0.22
	050308000000001006	RIPPY, LINDA K TR	740 SUFFOLK LN		LOCH LLOYD		MO	64012-3377	0.22
	050308000000001021	OLMSTED, DARON & KELLY	16736 COUNTRY CLUB DR		LOCH LLOYD		MO	64012-0000	0.27
	050308000000001040	S9-REDEV LLC	11150 OVERBROOK RD	STE 210	LEAWOOD		KS	66211-0000	5.37
	050308000000001002	THE COUNTRY CLUB AT LOCH LLOYD LLC	PO BOX 14164		PARKVILLE		MO	64152-0664	3.31
		South HOA							0.14
	South HOA ROW							3.83	
	State ROW (Holmes)							2.07	
	050308000012009000	MCGEENEY, TERRY L & SUSAN D TR	16800 COUNTRY CLUB DR		LOCH LLOYD		MO	64012-4126	0.04
	050308000012002000	CHIARELLI, DAVID J & JENNIFER P	16801 COUNTRY CLUB DR		LOCH LLOYD		MO	64012-0000	0.21
	050308000012001000	BAKER, ERIC R & ANGELA K TR	829 ELM CT		MARCO ISLAND		FL	34145-2108	0.00
AREA 2	050308000011033000	RAMIREZ, JACK S & CAROL H	360 E LOCH LLOYD PKWY		LOCH LLOYD		MO	64012-4134	0.06
	050308000011034000	BLEDSE TRUST	380 E LOCH LLOYD PKWY		LOCH LLOYD		MO	64012-4134	0.23
	050308000007021000	HARE FAMILY REVOCABLE TRUST	16800 GRACE DR		LOCH LLOYD		MO	64012-4172	0.08
	050308000007020000	GALANT, DOUG	17181 S JAMI LYNN LN		VLG LOCH LOYD		MO	64012-4122	0.54
	050308000007017000	FEUERBORN, JOSEPH H & LISA M	16785 HIGHLAND RIDGE		LOCH LLOYD		MO	64012-0000	0.15
	050308000007018000	COFFMAN, RICHARD T & BRENDA R	16775 HIGHLAND RIDGE		LOCH LLOYD		MO	64012-0000	0.53
	050308000000001040	S9-REDEV LLC	11150 OVERBROOK RD	STE 210	LEAWOOD		KS	66211-0000	2.22
	050308000000001098	LOCH LLOYD HOMES ASSOCIATION	2180 W STATE ROAD 434 STE 5000		LONGWOOD	% SIFL		32779-0000	0.56
	050308000000001002	THE COUNTRY CLUB AT LOCH LLOYD LLC	16750 COUNTRY CLUB DR		LOCH LLOYD		MO	64012-4124	2.24
		South HOA ROW							1.90
AREA 3	050308000007001000	MYERS, RONALD J & LINDA S TR	16885 HIGHLAND RIDGE		LOCH LLOYD		MO	64012-0000	0.59
	050308000006020000	RYAN, WILLIAM P & LARA L	85 E DUNDEE CIR		LOCH LLOYD		MO	64012-4184	0.53
	050308000006021000	BINAGGIO, JOHN C & KAREN A	20 W DUNDEE CT		LOCH LLOYD		MO	64012-0000	0.35
	050308000005027000	LAFATA, ANTHONY J & JULIE G	14222 EBY		OVERLAND PARK		KS	66221-0000	0.39
	050308000005025000	BURKS, ALEC M TR ETAL	1503 MAIN ST PMB 171		GRANDVIEW		MO	64030-0000	0.02
	050308000006013000	BEHRMANN, JOHN K & MARY ELLEN	16888 HIGHLAND RIDGE		LOCH LLOYD		MO	64012-0000	0.01
	050308000007002000	WITHEY, HOWARD G & RUTH F TR	16879 HIGHLAND RIDGE		LOCH LLOYD		MO	64012-0000	0.17
	050308000005024000	LIND, DAVID J & LAURIE L	30 STREET OF DREAMS		LOCH LLOYD		MO	64012-0000	0.02
	050308000006014000	CONRAD, TODD A & CARA S	80 E DUNDEE CIR		VLG LOCH LOYD		MO	64012-4184	0.33
	050308000000001040	S9-REDEV LLC	11150 OVERBROOK RD	STE 210	LEAWOOD		KS	66211-0000	2.68
	South HOA ROW							1.09	
AREA 4	050308000015004000	ELDER, VAN TRUST	16895 MEADOW LN		LOCH LLOYD		MO	64012-0000	0.38
	050308000007025000	PINNEY, JAMES D & SHARON KAY	16840 GRACE DR		LOCH LLOYD		MO	64012-0000	0.32
	050308000012012000	NOHE, JOHN	16821 S GRACE DR		LOCH LLOYD		MO	64012-4172	0.38
	050308000012005000	LAME, DARIEN	16831 COUNTRY CLUB DR		LOCH LLOYD		MO	64012-4127	0.28
	050308000015005000	WISDOM INVESTMENTS REVOCABLE TRUST	16897 MEADOW LN		LOCH LLOYD		MO	64012-0000	0.33
	050308000007023000	LUSBY, JAMES R & BETTY K	16820 GRACE DR		LOCH LLOYD		MO	64012-0000	0.11
	050308000007026000	PINNEY, JAMES D & SHARON K	16840 GRACE DR		LOCH LLOYD		MO	64012-0000	0.26
	050308000012011000	BARTLETT, THOMAS A & SHERIE L	16811 GRACE DR		LOCH LLOYD		MO	64012-0000	0.04
	050308000015003000	EUGSTER, WERNER R & CAROL M TR	9116 W 141ST ST		OVERLAND PARK		KS	66221-2124	0.37
	050308000012006000	ADKINS, JAMES U & JENNIFER L TR	16830 COUNTRY CLUB DR		LOCH LLOYD		MO	64012-0000	0.23
	050308000012003000	SMITH, CORY L & MARILYN E TR	16811 COUNTRY CLUB DR		LOCH LLOYD		MO	64012-0000	0.01
	050308000012004000	ELSBERRY, STEPHEN WESTLAKE TR	16821 COUNTRY CLUB DR		LOCH LLOYD		MO	64012-0000	0.23
	050308000007024000	DIPPEL TRUST	16830 GRACE DR		LOCH LLOYD		MO	64012-0000	0.31
	050308000000004000	NEIGHBORS, J MICHAEL & MELISSA A	PO BOX 533		BELTON		MO	64012-0000	4.82
	050308000000001040	S9-REDEV LLC	11150 OVERBROOK RD	STE 210	LEAWOOD		KS	66211-0000	6.69
	South HOA							0.21	
	South HOA ROW							0.80	
	State ROW							2.54	

Parcels for which a protest petition has been received are highlighted in yellow

50.73 Total acres

15.22 30% of total

18.97 Protest acres

37.40% Protest percentage

VILLAGE OF LOCH LLOYD
BOARD OF TRUSTEES STAFF REPORT
FEBRUARY 28, 2025 MEETING
AGENDA ITEM: 6a. REZONING – SECHREST



EXHIBIT 14
ASSORTED E-MAILS FOR RECORD 2025-01-16

From: [Anthony Lafata](#)
To: [Christopher Shires](#)
Subject: Fwd: New submission from Contact Us
Date: Tuesday, January 14, 2025 7:09:41 AM

----- Forwarded message -----

From: **Richard Zimmer** <rick1.zim@gmail.com>
Date: Tue, Jan 14, 2025 at 1:42 AM
Subject: New submission from Contact Us
To: <villageoflltrustee@gmail.com>

Name
Richard Zimmer
Email
rick1.zim@gmail.com
Comment or message
I wholeheartedly support the requests made and involvement of the SHOA Board of Directors in the Planning of the Sechrest Development with the Developer. The request being made of the Developer appear to be reasonable and necessary. As a homeowner, I appreciate the work and steadfastness of the SHOA Board to protect and enhance our home values and community environment. I also appreciate the comprehensive communication to the homeowners regarding this important matter. Thank you.

From: [Anthony Lafata](#)
To: [Christopher Shires](#)
Subject: Fwd: New submission from Contact Us
Date: Tuesday, January 14, 2025 7:08:10 AM

----- Forwarded message -----

From: **Daron Olmsted** <heeed@gmail.com>
Date: Mon, Jan 13, 2025 at 9:26 PM
Subject: New submission from Contact Us
To: <villageoflltrustee@gmail.com>

Name
Daron Olmsted
Email
heeed@gmail.com
Comment or message
I support the SHOA in their resistance to approving the rezoning of the Sechrest at this time. I'm not opposed to development but want the developer to address the issues raised by the SHOA and P&Z commission. Any new construction MUST have design considerations that maintain the density, aesthetic, and character standards consistent within the existing community.

From: [Anthony Lafata](#)
To: [Christopher Shires](#)
Subject: Fwd: New submission from Contact Us
Date: Tuesday, January 14, 2025 7:07:54 AM

----- Forwarded message -----

From: **Marla Selvidge** <Selvidgemarlaj@gmail.com>
Date: Mon, Jan 13, 2025 at 8:22 PM
Subject: New submission from Contact Us
To: <villageoflltrustee@gmail.com>

Name
Marla Selvidge
Email
Selvidgemarlaj@gmail.com
Comment or message
Developers on East LL did not provide for any storm sewers. When the practice field was completed dirt and water flowed and covered our driveway and yard. We begged them to solve the problem and finally they did stop the dirt from coming into our yard. But we have spent more than \$10,000 taking care of water that flows from developing houses across the street and the practice field. HOA nor the Developers would do anything about the issue and we contacted HOA several times. We must be responsible to our neighbors and to our development. LL is in violation of the Clean Water Act because we do not have storm sewers. We cannot let one man harm all of us.

From: [Anthony Lafata](#)
To: [Christopher Shires](#)
Subject: Fwd: New submission from Contact Us
Date: Tuesday, January 14, 2025 7:07:41 AM

----- Forwarded message -----

From: **Ronald Drake** <rldrake925@gmail.com>
Date: Mon, Jan 13, 2025 at 5:54 PM
Subject: New submission from Contact Us
To: <villageoflltrustee@gmail.com>

Name
Ronald Drake
Email
rldrake925@gmail.com
Comment or message
<p>I am opposed to the application to rezone as it is premature and incomplete. The Developer's must meet with the SHOA to discuss all the issues. I thank the board for your due diligence and candid communication.</p> <p>Ron Drake 16625 Eden Brg.</p>

From: [Anthony Lafata](#)
To: [Christopher Shires](#)
Subject: Fwd: New submission from Contact Us
Date: Tuesday, January 14, 2025 7:07:38 AM

----- Forwarded message -----

From: **Tom Hemling** <tomhemling@gmail.com>
Date: Mon, Jan 13, 2025 at 4:16 PM
Subject: New submission from Contact Us
To: <villageoflltrustee@gmail.com>

Name
Tom Hemling
Email
tomhemling@gmail.com
Comment or message
<p>I strongly agree with the P&Z and the SHOA that the proposed rezoning and development should not be approved. The Developer has shown no interest in addressing the various concerns raised. In previous development (practice field and homes on the south side of Loch Lloyd Parkway) water drainage issues were not addressed. Water runs off of these properties and into/through the properties on the north side.</p> <p>The proposed lots are all smaller than the surrounding lots and the "view" for the existing homes is being unacceptably altered. Plans for holes 5-9 need to be defined.</p> <p>If the developer wants to build tiny homes on small lots, he could do so on the land between W. Loch Lloyd and Spyglass.</p>

From: [Anthony Lafata](#)
To: [Christopher Shires](#)
Subject: Fwd: New submission from Contact Us
Date: Tuesday, January 14, 2025 7:07:31 AM

----- Forwarded message -----

From: **Ruth & Robert Bjorseth** <rbjorseth@gmail.com>
Date: Mon, Jan 13, 2025 at 5:31 PM
Subject: New submission from Contact Us
To: <villageoflltrustee@gmail.com>

Name
Ruth & Robert Bjorseth
Email
rbjorseth@gmail.com
Comment or message
We are NOT in support of the rezoning of Seacrest as presented.

From: [Anthony Lafata](#)
To: [Christopher Shires](#)
Subject: Fwd: New submission from Contact Us
Date: Tuesday, January 14, 2025 7:07:20 AM

----- Forwarded message -----

From: Daniel Meier <77kilby@gmail.com>
Date: Mon, Jan 13, 2025 at 5:05 PM
Subject: New submission from Contact Us
To: <villageoflltrustee@gmail.com>

Name
Daniel Meier
Email
77kilby@gmail.com
Comment or message
I am opposed, to any development on the old golf course .

From: [Anthony Lafata](#)
To: [Christopher Shires](#)
Subject: Fwd: New submission from Contact Us
Date: Tuesday, January 14, 2025 7:07:07 AM

----- Forwarded message -----

From: **Michael Slusher** <63slusher@gmail.com>
Date: Mon, Jan 13, 2025 at 4:55 PM
Subject: New submission from Contact Us
To: <villageoflltrustee@gmail.com>

Name
Michael Slusher
Email
63slusher@gmail.com
Comment or message
<p>I am concerned about the Sechrest development proposal. My concerns:</p> <ol style="list-style-type: none">1 density in not in character with current design2 drainage has been a problem and can only get worse3 sewer and water capacity need to be addressed and Water District approve4 the future of center cut needs to be preserved as recreational space for the whole community. <p>Especially those not members of LLCC. I believe generally that new housing in the South is positive for my home value but the new development must address my concerns for it to pay off. Thank you to the Trustees for your service to our Village.</p>

From: [Anthony Lafata](#)
To: [Christopher Shires](#); [Jonathan Zerr](#)
Subject: Fwd: New submission from Contact Us
Date: Thursday, January 16, 2025 1:47:03 PM

please add to the list .. thanks

----- Forwarded message -----

From: **James Pinney** <Soocityjim@gmail.com>
Date: Thu, Jan 16, 2025 at 12:52 PM
Subject: New submission from Contact Us
To: <villageoflltrustee@gmail.com>

Name

James Pinney

Email

Soocityjim@gmail.com

Comment or message

As a 30 year resident of the Loch Lloyd community I wanted to share with you Village Board of Trustees members why I feel that it is imperative that you support the planning and zoning commission ear's unanimous recommendation to reject the developer's application to rezone the Sechrest for development.

The most significant reason is that the property owners of the Sechrest have already suffered a major loss in value of their properties. An appraiser estimated the loss to be at \$6,400,000 when the golf course was closed that abutted their properties. The value will never be recovered by the property owners unless a championship golf course synonymous to the Sechrest is rebuilt and maintained to the same degree as the Watson course as was promised by the club owners when they built the Watson course. Brian Illig was an owner executive at the time of the Sechrest closing and was fully in agreement with that decision even though he was fully aware that these property owners paid \$30,000 to \$50,000 more for thir golf course lots.

To make matters worse, thehdeveloper's plan will further monetarily damage these homeowners by constructing smaller houses that are crammed onto much smaller lots which are located within a very short distance from the from their lot lines. This plan violates the Covenants, Rules, and Regulations that all South Loch Lloyd residents have lived by for more than 35 years. The approval of this plan would make a mockery of the vision and quality of our long standing rules of ownership.

Our current developer as well as our previous developer have constantly and continuously engaged in negative business activities and practices with our South HOA that did not comply with their contractual obligations in an effort to bully them to make decisions that would benefit the developer. In addition our current developer has been purposely delinquent on monetary payments to our South HOA to try to establish an upper hand for his business importance. Only through arbitration did the developer pay a contractual monetary obligation to our South HOA for street usage. And lastly Brian has defied the planning and zoning recommendations to involve the South HOA in the development planning process before his plan is submitted to be rezoned. Not only did Brian not involve the South HOA, he refuses to communicate with them.

Last but not least our current developer would earn a very low score in maintaining his Loch Lloyd Country Club facilities. For several years the clubhouse roof leaked so badly that catch basins were placed in various locations to catch the water to deter damage to the interior of the clubhouse. The swimming pool leaked for many without being fixed an there were many complaints about the poor conditions of the dirty locker rooms. The health club had standing water on the floor when it rained. The outside north and west side had mildew for at least two years before it was repaired. And finally the

parking lot of the health club was deplorable and dangerous due to crumbling curbs and significant pot holes.

When the Sechrest was closed 3.5 years ago the developer committed to maintaining it as a " park like setting". The grass would be maintained and mowed to an 8 inch height. This commitment was never fulfilled by the developer and the conditions have been deplorable from the onset of the closure.

It is obvious why the developer has submitted this plan. He will obviously make a lot of money. Will the affected homeowners of the Sechrest partner in this profitable plan? The answer is absolutely not . They will suffer a further loss in value to their property and the loss of a dream and vision that they excitedly had when they purchased it which was and is priceless. When this Loch Lloyd property was purchased around 2003 our developers had one obsession that over-rid all ownership characteristics and that was to make money at anyone else's expense. The business partnership that should have existed with the developer and the South Loch Lloyd residents is all but dead. No relationship survives when it is one sided. And this plan submitted by the developer is one sided and has no value to our current residents who helped build the reputation that our community now enjoys.

EXHIBIT 15

RESOLUTION NO: 2024-12-5-1

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE VILLAGE OF LOCH LLOYD, MISSOURI, RECOMMENDING DENIAL OF THE REQUESTED 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,

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

WHEREAS, the planning consultant hired on the behalf of the Village of Loch Lloyd, has reviewed this request and drafted and presented two staff reports to the Planning and Zoning Commission that are dated October 10, 2024, and December 5, 2024; 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, the Commission has considered the land use map and policies contained within the Village's adopted Land Use Master Plan; and,

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 testimony of all those who came before it, voted to recommend to the Board of Trustees denial of the rezoning requested based the following findings:

1. The requested rezoning is not consistent with the land uses as shown on the Village's adopted Land Use Master Plan map and does not address all of the policy considerations as

provided in said Land Use Master Plan.

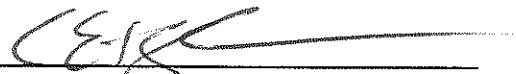
2. The applicant has not verified to the satisfaction of the Planning and Zoning Commission that there is adequate sanitary sewer and water service capacity in which to serve the proposed development and that concerns related to the management of stormwater runoff have been addressed.
3. The requested rezoning impacts the character of the surrounding neighborhoods based on the proposed change in use and the proximity and density of the proposed development the rezoning would permit.
4. The rezoning lacks public benefit and has a greater detrimental impact upon the surrounding properties than the benefit it brings to the owner of the property proposed to be rezoned.

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.

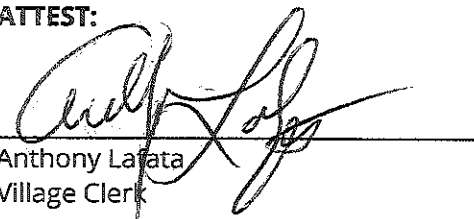
SECTION 2. The proposed rezoning as detailed in the staff report to the Commission dated December 5, 2024, and as provided in the application, is recommended to the Village Board of Trustees to be denied based upon the findings as stated at the Commission meeting and as summarized herein above.

PASSED AND APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE VILLAGE OF LOCH LLOYD, MISSOURI, THIS 5TH DAY OF DECEMBER 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.

VILLAGE OF LOCH LLOYD
BOARD OF TRUSTEES STAFF REPORT
FEBRUARY 28, 2025 MEETING
AGENDA ITEM: 6a. REZONING – SECHREST



EXHIBIT 16
ADDITIONAL E-MAILS FOR RECORD 2025-02-13

Opposition to the Sechrest Development

John & Sloan Nohe

16821 Grace Drive

Loch Lloyd, MO 64012

February 9, 2025

Dear Board of Trustees,

I urge you to vote no on the developers' plan to move forward with an ill-conceived plan that has ignored the Master Land Use Plan for Sechrest. From what I read, it seems to ignore the law and covenants of the SHOA. It also seems to lack common sense.

All the many choreographed meetings and side-stepping of the issues now seem to have come to a head. You've been privy to the inside view of a very sophisticated campaign that we recognized from the beginning would be a process of attrition. Money, of course, has not been an issue for the developer, who has plenty of it. Now, the developer has had enough and is putting his foot down. Enough is enough, right?

I imagine at quiet moments you wonder why you wanted this position. You might have thought it would be fun to help shape the community. At times like this, it's important to remember that you were voted in for your credentials, but also because of your appreciation for what Loch Lloyd has meant to all of us over the years. Now, you find yourself trying to balance the desires of the developer, who wants to advance the property to meet the future. Yet, so many of your dear friends are saying no.

I can only imagine what your private meetings with the developer have been like as he proselytized over his vision. I imagine it's easy to get caught up in

the charge for the future. The insider's mantra is probably something like, "change is hard, but it's worth the fight." The lawyers, engineers and architects must be loving all this.

You were voted into your position because people trusted you. We all trusted you to be a "Trustee" and good steward of the community. I suspect you really do care too, but the facts of a degraded process speak for themselves.

In my past, I was the Chairman for the Johnson County Parks and Recreation. There I experienced the outcry from the community on something as basic as changing the youth league rules to make the leagues fairer. I was simply amazed by the community outpouring over a change that eliminated recruitment cheating. Hundreds of angry parents stormed the board room. There, we were dealing with little league. Here, you're dealing with the big leagues - people's dreams, quality of life, inconvenience, home valuations, personal values and character. Seems like this is much more important.

Frequently, in my public role we dealt with developers who wanted to advance the infrastructure of Johnson County with plans that would impede the quality of life. Our board didn't disagree with the premise, but the community entrusted us to make the right decisions according to the law and, importantly, their desires to respect their opinions. For instance, the board understood the importance of quality of life to the community and invested in what is today, a nationally recognized streamway park system that surrounds the county. And what is now the Sheels Sports Complex, was carefully managed into what has been a highly successful public and private venture.

As a Board of Trustees member, you all have amazing credentials and have become very successful, by most standards. I'm sure you have been up against many tough issues in your career, but probably not too many that are as emotionally charged as this one. Having been in this position, I can empathize. I can only suggest that you take personal responsibility in your role.

I hope you understand that what is at the center of the controversy is not disagreement for the desire to develop. Instead, what's at issue is integrity. Everyone I talk to is motivated to achieve a suitable outcome. Instead, the community that you are supposed to be watching over is seeing their valid and legal concerns diminished, disparaged and pushed aside.

For example, from what I can tell from the many meetings and designs submitted over the years, the developer will be building a road next to our home that heads east, up the Sechrest fairway. It appears that it will be approximately 50 feet from our driveway, not the setback that was promised of at least 150 feet. Further, the new glorified duplexes do not fit the character of the adjacent homes, something that was important to the founding HOA. Will this be the case everywhere throughout Sechrest?

I won't bother reciting the many issues that have been tossed around for so long such as infrastructure testing and SHOA compliance. But the biggest issue feels more like deception and I'm counting out you to not be part of that. The Loch Lloyd core values state: Transparency, Integrity, Mutual Respect, Fiscal Responsibility, Helpfulness, Patience, Professionalism, Create a Fun Environment, and Support and Promote a One Community Concept.

Please vote NO until all infrastructure issues and necessary testing have been resolved to the satisfaction of residents.

Sincerely,

John Nohe

From: [Ruth Withey](#)
To: [Randy Schultz](#); [Tony Lafata](#); [Stevie Douglas](#); [John Murphy](#); [Christopher Shires](#)
Subject: Fwd: Upcoming meeting
Date: Tuesday, February 11, 2025 4:38:14 PM

Begin forwarded message:

From: Dave Lutz <davelutzjpc@gmail.com>
Date: February 11, 2025 at 4:11:53 PM CST
To: Dave Lutz <davelutzjpc@gmail.com>
Cc: Meredith Lutz <meredith@largaytravel.com>
Subject: Upcoming meeting

I am addressing you as a friend, neighbor and Board of Trustees member. I have to say that Meredith and I and many LL friends and neighbors are truly sad about what is happening in our beloved LL community. We that saved and worked hard to be able to invest in this community, building our homes even when LL was a struggling development. We knew that it was a very special place, you as well I'm sure.

Without going into all of the issues that have been discussed ad nauseam, I personally feel that we have been ignored, our investment into the area ignored, that the developer has no regard for us and the lifestyle that we have paid for, and it's all about him making money to pay for club improvements on our backs. (many of the SHOA not even being club members yet we are paying for these improvements)

I voted for YOU and the current BOT to represent me and SHOA homeowners best interests. That was the "Trust" part of board of Trustees. Some say that our requests or objections are failing on deaf ears, I hope that you are able to look at this issue from the homeowner/investor side.

My request is that you protect those of us, your neighbors and friends, and make the developer live up to previous agreements and requirements that have legally been put in place. They are not unreasonable.

Thanks for your time

Dave and Meredith
Sent from my iPhone

From: [Ruth Withey](#)
To: [Randy Schultz](#); [Tony Lafata](#); [Stevie Douglas](#); [Jonathan Zerr](#); [Christopher Shires](#); [John Murphy](#)
Subject: Fwd: Sechrest Development
Date: Wednesday, January 22, 2025 11:52:00 AM

Begin forwarded message:

From: Celia Massimino <dmkgma@yahoo.com>
Date: January 21, 2025 at 1:23:52 PM CST
To: Ruth Withey <ruthfw13@gmail.com>
Subject: Sechrest Development
Reply-To: Celia Massimino <dmkgma@yahoo.com>

Good Afternoon Ruth,

I am writing to explain my feelings regarding the development of the Sechrest. I have no objection to development, but homes should be comparable to the surrounding homes in lot size and square footage as has always been required. What is being proposed is nowhere near comparable to the existing homes on Country Club Drive and Suffolk Lane.

I do not see where anywhere within the gates of Loch Lloyd these cluster of homes would enhance the character and beauty of this amazing community.

I implore you to not allow this plan to go through and consider how this will effect your neighbors and their home values.

Thank you for your consideration,

Celia Massimino.

From: [Ruth Withey](#)
To: [Randy Schultz](#); [Christopher Shires](#)
Subject: Fwd: Rezoning
Date: Sunday, February 9, 2025 7:52:53 PM

Begin forwarded message:

From: brushed-decided-2m@icloud.com
Date: February 9, 2025 at 4:17:07 PM CST
To: ruthfw13@gmail.com
Subject: Rezoning

Hello Ruth,

I've been wanting to call you since the last meeting. I appreciated how well you spoke up in opposition to the proposed rezoning.

I have lived in Loch Lloyd for several years; my mother has lived here for 25 years. The charming atmosphere is what had drawn us here and the friendliness keeps us here. The full grown trees, the quietness, the open spaces and beautiful homes all add to the charm here. I'm writing to express my opinion regarding the proposed rezoning based on my experience.

The south area of Loch Lloyd has its own style of architecture which distinguishes it from the north area. New, modern housing is never going to fit right in the south area. The few new houses here disrupt the flow of charm that Loch Lloyd has always been known for. The proposed new houses to be built from the corner of Loch Lloyd Pkwy/Country Club Drive to Suffolk Lane, besides not fitting in architecturally, will cause even more congestion to an already congested area when there are swim meets and golf tournaments. There have been too many times when the street has been blocked on Country Club Drive because of the parking overflow outside of the club parking lot going down Country Club Drive. A fire truck would never be able to make that turn onto Country Club Drive by the tennis courts (and I'm surprised security allowed cars to be parked there blocking entry because of the island). I don't see how adding houses helps this situation. I feel sorry for those neighbors who's houses back up to that part of The Sechrest since the value of their investment will be negatively effected. It will.

I attended the last meeting where I heard it said that the developer is not going to put houses on the central part of The Sechrest. I don't believe that. He may say that now to get his rezoning but that land is too rich for a developer to pass by. I heard he's going to make it a green space for children to play on - what children? I have grandchildren who visit my house and I'm not going to take kids to play over there - I don't have the energy for that! I realize he wants a homogeneous community and see that the developer is trying to appeal to younger families - but only a handful of young families can afford to live here. I doubt that the green

space in the Seachrest will remain green space for long. I feel he will eventually take it over for housing once he gets his rezoning approved. I have no trust.

I urge you to NOT approve the rezoning. The uniqueness of Loch Lloyd is in jeopardy.

I'm not signing my name because I've heard this developer retaliates against those who go against him. You can reply to this email and if you'd prefer that I call you, I can do that.

Thank you,
A Concerned Resident of Loch Lloyd

From: [Ruth Withey](#)
To: [Christopher Shires](#)
Subject: Fwd: Rezoning Application
Date: Tuesday, February 11, 2025 11:37:14 AM

Begin forwarded message:

From: Robbi Grogan <tttgrog@aol.com>
Date: February 11, 2025 at 11:13:41 AM CST
To: ruthfw13@gmail.com
Subject: Rezoning Application

Hello Ruth,

Please, please vote NO on the developer's application for rezoning. The Master Plan was the sum total of the community's wishes for Loch Lloyd. The residents have spoken through that well thought out plan for Loch Lloyd's future.

Perhaps the developer could resubmit with a scaled down version of the cluster homes which would bring the setbacks into line with the Master Plan.

As you are well aware, allowing rezoning for this development plan will set a precedent for future development which will not align with the Master Plan.

The trustees are our safeguard against altering the look and feel of this community. Please do not let us down!

Thank you for your time and effort as a Trustee. I know it's a thankless and time consuming position.

FYI We sent this to all of the Trustees.

Best,

Steve and Robbi Grogan

From: [Ruth Withey](#)
To: [Christopher Shires](#)
Subject: Fwd: Please vote against the Rezoning Proposal"
Date: Wednesday, February 12, 2025 4:02:51 PM

Begin forwarded message:

From: Nancy Addy <naddy2@me.com>
Date: February 12, 2025 at 3:16:25 PM CST
To: rschultzlochloyd@gmail.com, villageoflltrustee@gmial.com,
lochloyddpzjohn@gmail.com, Ruth Withey <ruthfw13@gmail.com>,
steivedouglas204@gmail.com
Subject: Please vote against the Rezoning Proposal"

Hello I would like to submit my request that you vote against the Rezoning Proposal or future amendment of the Master Plan.

Because of the magnitude of its variance and the potential negative impacts to the Loch Lloyd community and its infrastructure, it seems logical that as a community we would require the developer to address the many issues that the community has repeatedly brought up in regards to protecting the health, safety and welfare of the community. The current Master Plan requires thoughtful consideration of issues before granting rezoning. The community has repeatedly spoken. I along with many others respectfully request that you respect our voice and reject this Rezoning Proposal and any amendment to the Master Plan.

Thank you,
Nancy Addy

February 6, 2025

To the Board of the Village of Loch LLOYD Trustees:

Randy Schultz; Tony Lafata; Ruth Withey; Stevie Douglas; and John Murphy

Though appreciative of the ability to make public comments during the meetings, the two minute time limit does not allow for adequate expression and analysis of all concerns. Therefore, I respectfully ask that you review and consider the following prior to your decision on the pending proposed rezoning proposal (the "Rezoning Proposal").

The Rezoning Proposal is not consistent with the existing Land Use Master Plan and Land Use policies (the "Master Plan") and **it does not adequately address issues in the policies #2 and #3 of the Land Use Policies to justify amendment of the Master Plan. This was the very clear conclusion reached by the Planning and Zoning Commission on both occasions it considered the matter.**

Per the Master Plan Policies:

"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 requirement."

Though I do not believe there is any challenge to the fact that the Master Plan requirements are violated, the perspective of the scope of the violation has been obfuscated. The Rezoning Proposal violates the Master Plan requirements materially in the following respects:

Per the Village Staff's own report:

"-Area 1 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.

-Area 3 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.

-Area 4-Buffering – Proposed lots 25 through 32 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."

By my own reading of the proposal and the Unified Development Ordinance (the "UDO") all 22 lots in Area 4 of the proposal (nearly 1/2 of all of the lots involved in the total Rezoning Proposal) reflect setbacks of front 20', rear 30' and side yard of 5' and the UDO requires front setback of 35', rear 30' and side yard of 15.' Those 22 lots fail on both the front by more than 33% and side yard by 66% of the articulated standard, and this is material.

So of the 45 total lots involved in the pending Rezoning Proposal, 13 do not meet the preferred footage for 150' of open space and 22 (nearly 1/2 of the entire lots being proposed) do not meet the yard setback requirements of the UDO. Most importantly, it is obvious that fewer lots could be included and thereby meet or come substantially closer to meeting the requirements of the Master Plan. Understandably this would mean fewer lots and less profit for the developer. As a business enterprise operates to make money I understand why the developer's team would want to maximize their profit. This would be

fine if it were not at the expense of the integrity of the Master plan and did not infringe on the interests of the Village community members the Trustees have a duty to protect.

Granting a rezoning request of this magnitude on the heels of the community development of the Master Plan would make many members of the community wonder why the Trustees are willing to substitute their judgment for the very recently expressed will of the vast majority of the community who cared enough to participate in the Master Plan's development and the judgement of the Planning and Zoning Commission. It also raises the question of what does the Master Plan then represent for this community going forward. Instead of a document that represents the community's vision it becomes a document that represents the then bending will of the Trustees. Any amendment that will be made as a result of approval of this Rezoning Proposal signals that future rezoning requests, even when representing a significant erosion of the Master Plan standards, can prevail. If this Rezoning Proposal is passed, as has been done here both by Trustee's Staff and the developer's team, future developers seeking a rezoning request will use the lot sizes and setbacks in construction of the homes in this application as an example of permissible variances to petition for further exceptions to the Master Plan.

This is not a minor tweak of the Master Plan, it is a very significant change. It is also notable that this change is significantly and directly impacting citizens who bought and invested in properties bordering a golf course and I believe had restrictions placed on their use of their own lots as they bordered the golf course. I confess I do not know if they actually had deed restrictions, but if they do I would question why they should remain forever restricted. The same applies to any of the homes adjacent to any of the Sechrest land -will those restrictions be lifted? This is **not** a change to vacant land on the edge of the Village boundaries that was always perceived to be the subject of future development. The way of life of the directly impacted adjacent homeowners for the proposed lots/homes is obvious. As noted in the last public meeting, the developer has made no concessions directly to those most materially impacted. Instead of assuming responsibility to create a buffer, the Rezoning Proposal plans to pass on a percentage landscape buffer burden on to the future purchasers of the proposed lots when sold and houses are built.

The Master Plan and adopted in early 2024 reflects the very recently voiced will of the community regarding any future development and density preferences for any future development. Significant time and economic resources were spent on development of that Master Plan. A large number of citizens in the community turned out to clearly express their preferences regarding future development. Equally important, these expressions were made at a time when the community was actively aware of the potential for the presentation of a development plan for the Sechrest property. So the citizens did voice their clear opinion in the Master Plan in full contemplation of presentation of this type of zoning request.

Both the Village Staff reports and the developer presentations spent much time comparing their proposed lots in the Rezoning Proposal to adjacent lot sizes. The Master Plan a was intended to be the roadmap and **going forward vision** for reference in evaluating any future development. It broadened the number of important factors that **must be reviewed** and does not in any way prioritize a preference for granting rezoning requests particularly of this scope and nature. So the comparison of proposed lots to adjacent lot sizes, is not definitive and is only one consideration identified in item #3 of the Master Plan policies. It is not the only consideration and is no way presented in the Master Plan as having prioritized weight.

The Village Staff Consultant reimbursement concept may have originally been well intended in terms of finding ways to work something out with the developer without the Village itself bearing costs associated with those discussions. With no intended disrespect to any of you as individual trustees or to Mr. Shires as Staff Consultant, as this process has unfolded, this relationship structure has created a potential for the appearance of a conflict of interest and/or a lack of impartiality by the Staff and/or the Trustees. This concern is supported by the fact that the Village immediately set rehearing the developer's request after the initial conclusion had been reached by the Planning and Zoning Commission that the application was incomplete and the developer needed to respond to HOA letter. There was nothing communicated to the public in advance as to why the hearing was proceeding. Instead, at the

second P&Z meeting the public got an opening statement that Staff and Village Council concluded the app was complete and the meeting could proceed. In addition, the Trustees and the Staff have made no commensurate effort to understand the scope of the HOA concerns and did not see fit to dispatch the Staff to understand any of the specifics of the HOA position - most of which are specific requirements of items #2 and #3 of the Master Plan Land Policies that the Trustees themselves are charged with a duty to consider before rezoning.

During the January 23, 2025 meeting, a Trustee would ask the developer team to provide their understanding of the current state of the sewer system in the Village. The question to the developer struck some in the audience as rather alarming. As Trustees, the state of the existing sewer system (particularly if strained or in noncompliance) should be in the top 5 or 10 list of items that the Trustees are aware of and monitoring on behalf of the community to ensure it does not become a public health concern or environmental disaster if sewage fails to pump and potentially ends up in the lake. The Trustees or experts retained on their behalf (or the Water Board) should independently assess the sewage system status and adequately research the consequences that can result from a development plan of this scope. Either the question was a set up intended to give the developer team a “layup” so they could signal their purported willingness to make a 60% contribution to the lift station and generator as a quid pro quo for development approval or the state of the sewer and the potential impact of this development scale is not truly known by the Trustees. Neither of those alternatives presents a very good optic for the concerned general public in attendance. Given the description of the status, ensuring resolution of that sewer issues and similar issues of public concern such as amending the 21 year old UDO to be conforming with changes in the Master Plan serve as other topics that deserve equal if not higher priority than finding ways to make the developer’s plan workable.

The Village Trustee Chairman’s opening remarks at the January 23, 2025 meeting would seem to suggest that the Trustees view their consideration of the Rezoning Proposal as the only way to convince or compel the developer to fulfill obligations to keep the remainder of the Sechrest in good condition. This implies that the Trustees may believe that resolution of the Sechrest condition is considered to be a sufficient community benefit to warrant amendment of the Master Plan. Clearly, the status of the Sechrest and its ongoing maintenance are justifiably Village Trustee concerns, and the community does appreciate the difficult position it presents. That said, any potential benefit from trying to actually resolve that issue still must be weighed against the noted rezoning detriments to public health (eg. sewer or water safety and capacity), safety (eg. parking, security), and welfare (eg. lack of quiet enjoyment of their property throughout construction and property value diminution). All south residents will live with the traffic implications from adding the homes and the service vehicles that accompany those builds. Public safety and security are not just impacted during construction, but the additional density has post construction implications. It places burden on infrastructure and burden on security managed by the South HOA and then those additional costs ultimately get passed on to all members of at least the South HOA community.

Furthermore, if the restrictions regarding any further development on **all** of the remaining Sechrest property are not **legally** binding there is no community benefit from any of this being negotiated in a development agreement. It is my understanding the best the developer claims they can do because the land is security for other debt is to offer a “no development” commitment letter of intent, and that original draft only refers to the cut-through not all of the remaining property not involved in this rezoning proposal. If this Sechrest property is securing other debt then the developer’s promise is only an expression of their current intent and is only of any weight as long as they are the owner, and one has to honestly consider if that letter is in any way legally binding. In addition, any such letter should go beyond the promise of the current ownership but contain a significant or any entity “direct or indirect common ownership or control” provisions. As the Trustees have repeatedly voiced that they will not consider anything that does not provide a final and total resolution of the Sechrest area, all space, not just the cut-through, its ownership, maintenance, and future development restrictions must be finally resolved and all such terms must be legally enforceable.

This approach of asking what will happen to the Sechrest if the Trustees do not approve the Rezoning Proposal also begs the question of what if any other methods have been explored to achieve resolution of the Sechrest issues. Granted, the facts and the strained relationships between all parties do not present great options but development of a nuisance ordinance would be a start.

The developer's team has attempted to identify other perceived community benefits as they have refined their plan. I do give them credit for some level of movement. However, there is certainly minimal community benefit from the latest cut through grading promise added in their January 23, 2025 presentation verses the obvious detriment to public health, safety, and welfare from the entire development disruption. There is also a theme from the developer's team that any development profits will go into the Country Club. As to that argument, there is no guarantee that if this rezoning is permitted any of the developer's profit will go back into the Club. I believe the legal owner entity on the original Rezoning Proposal is S9-Redev, LLC and though I may be incorrect, S&G Capital, LLC is listed as the purchaser of the Club in 2021 on your Village website. Though ownership may now be held by the same entity or both of the above entities may be under common ownership or control, there is certainly no legal obligation or guarantee for any profits to be reinvested in the Club itself. It is just as logical to assume the profits may well be plowed into development of the land purchased north of Kenneth. In addition, Club improvements may inure to the benefit of community members that are Club members, but the Club membership is not equivalent to the community at large. As I do not have access to Club records I am unable to challenge their presentation slide regarding the percentages of Club membership levels to residency in the Village. Arguably, from what I only know generally through public forums, many of the most recent management decisions of the Country Club such as elimination of a dining membership have been perceived by the community as having been done with very little view to the continued inclusion of the village residential community.

Being direct, all indications are that the Trustees have preferred to make a "deal" with the developer. In light of continued community resistance and HOA concerns, they are now focussing on what degree of specificity can be articulated in a "development agreement" to backfill the requirements for justification of an amendment of the Master Plan. **However the Master Plan and its policies does not contemplate resolution of the issues after granting the rezoning request, it mandates consideration of the issues before granting a rezoning request or amendment.** Quoting the Master Plan "**(p)rior to the approval of any rezoning or change to the adopted Future Land Use Master Plan, the following must be addressed ...**" (*emphasis added*) and goes to list items a. through o. Most notably many of the items noted in that list a. through o. are the very issues raised by the HOA letter and this list in the policies itself specifically includes item n. "consideration of the HOA rules."

I credit the Trustees and Staff for recognizing some conditions would have to be attached to any approval, **however the conditions are in a post approval development agreement rather than being resolved before rezoning approval as required by the Master Plan policies.** In addition, the conditions that were laid out in the Staff report are not sufficient in scope and are not adequately secured with legally enforceable terms. Several critical issues were mentioned in the January 23 meeting, including specifics on construction parking, water drainage, mandating the language not only for defining the work on the "cut through" but all other areas of common areas surrounding the proposed development and the conditions of how and who will maintain all of the undeveloped land in the remaining Sechrest holes 1, 2, 3, and 4 not included in the lots in the Rezoning Proposal. The Master Plan identifies what **must** be considered prior to amendment of the Master Plan. As business people it has to be obvious how much negotiating leverage is lost by the Village and the HOA if rezoning is granted first and the development agreement comes later.

The developer wants to make it appear that there is minimal risk to the Trustees granting the rezoning request first as if the development agreement is not reached and a plat accomplished in a year then the Trustees may revoke the rezoning status change. This possible reversion is fraught with the potential for future legal challenge. At the January 23rd meeting the HOA

attorney raised a question of the legality of a rezoning reverting back once granted under Missouri Law. Additional research is needed to confirm the legality of such a reversion provision. Further, the existing UDO provisions would need to be reviewed to ensure there is no inconsistency with any of the remedies defined in any development agreement. In the most recent drafts any reversion would not be automatic but would be at the discretion of the Trustees. Finally, there is no historical foundation to believe a development agreement can be successfully negotiated. The developer's posture in neglecting the Sechrest initially and unilaterally reducing or not paying their stated share of irrigation costs as well as their refusal to meet or have someone negotiate with the HOA during this process does not suggest a recent history of good faith conduct.

In closing, there is both a moral and legal imperative to vote against the Rezoning Proposal or future amendment of the Master Plan given the magnitude of its variance and the potential negative impacts to the community and its infrastructure. It would be particularly bad judgment to do so without first requiring the developer to address the many issues that everyone seems to want to kick down the road to the post approval "development agreement." I respect you have spent significant time and may well have been acting with good intention to resolve the fate of the Sechrest. However, as the process has unfolded granting this Rezoning Proposal first and trying to reach agreement on major issues later does not adequately protect the health, safety and welfare of the community. The Master Plan requires thoughtful consideration of issues **before** granting rezoning. The community has repeatedly spoken and I respectfully request that you respect their voice and reject this Rezoning Proposal and any amendment to the Master Plan.

Thank you for your consideration of my remarks.

Constance M. Long

cc. Loch Lloyd South HOA Board Members

From: [Anthony Lafata](#)
To: [Christopher Shires](#); [Jonathan Zerr](#)
Subject: Fwd: Rezoning
Date: Wednesday, January 22, 2025 6:45:25 AM

----- Forwarded message -----

From: **Brian McCroskey** <blmcc@yahoo.com>
Date: Tue, Jan 21, 2025 at 5:59 PM
Subject: Rezoning
To: <villageoflltrustee@gmail.com>

Sent from my iPhone

Message to the board of trustees from a Seacrest golf course lot, land and homeowner. In regards to the upcoming board of trustees vote on the rezoning application I would voice my strong opinion that they reject the proposal for rezoning and that they follow suit with the rejection by the planning and zoning committee in their rejection of the plan in their 6-0 vote at the December 5th meeting. I would also ask that they consider strongly the opinions of the South HOA board in their rejection of the proposals offered for rezoning, as well. I agree with their messaging and opinions that the proposal for rezoning and new home building plans as presented will have a significant negative impact on the community as a whole and will fly entirely in the face of the original master plan established by Harry Lloyd, as well as the recently established new master plan, just one and a half years ago. I believe that rezoning and further home building as presented will offer no tangible benefit to the homeowners of either the South or North HOA. I believe that this new proposal will not maintain the character and aesthetics of Loch Lloyd and believe that the homes planned will be inconsistent with the community in terms of character, lot sizes setbacks and proximity of homes to each other. I believe, also, that the proposal as submitted will have a broadreaching negative impact on many other things, such as traffic, safety, population density, water, pressure, and sewage and storm drainage none of which have been evaluated in appropriate engineering studies to this date.

I would, respectfully, encourage the board of trustees to uphold their oath and responsibility to the community itself and to the homeowners, as they decide their vote.

Tony, I sent this through the previous email but I wanted to make sure you got it also this way. I think that there is a way to satisfy everybody here with a plan that could work of benefit to all parties but I don't believe this one is that one.

Krezek, Jim <Jim.Krezek@rsmus.com>

Sat, Dec 7, 2024,
6:31 AM

to me

Tony,

Good morning.

I appreciate all of your hard work. It is a thankless job and you are doing a great job!

In my opinion, the plan that has been developed is a good option to move forward for all of the residents. The additional housing units will impact our community, with construction, but I believe it is in everyone's best interest to approve the plan as presented, I really don't see another option. The community needs to change with the times or be left with a slow death. My gut says there says will be more planning to be done to ensure our water, streets and community will be properly designed etc to handle the additional load on the infrastructure. I believe it to be appropriate to grant the zoning prior to completing all of the engineering studies.

Appreciate all you do!

Jim Krezek
Partner

Mark Hense <mhense@ttgtech.net>

Wed, Dec 11, 2024,
10:31 AM

to rschultzlochllloyd@gmail.com, me, steviedouglas204@gmail.com, ruthfw13@gmail.com, lochllloydjohndp@gmail.com

All,

I feel compelled to write the 5-member board at this juncture due to the very difficult decision each of you must make as it relates to the Sechrest rezoning effort by the developer. This proposal has ripped apart this community by geography and those directly impacted vs those with a NIMBY mentality wanting an improve club environment. I've been to every meeting on this subject and am one of the 70+ homeowners that will see 'tangible damages' in home value if the current proposal is approved as written. I understand a developer wants to get an answer on a rezoning before spending several hundred thousand dollars on impact studies, but the way the developer has handled this process to date has been less than upfront with residents during a multi-year duration of undeniable neglect we have seen behind our homes.

I do NOT oppose development. Rather a sane plan that encompasses the entirety of the Sechrest property 1-9. Not piecemealed over the next decade.

Without a concrete and unbreakable position on the Center-Cut (5-9) prohibiting development in 'perpetuity', the current proposal is completely unacceptable. An unenforceable 'promise' by the developer to not develop during the time he owns the Club is laughable. That ownership structure could change quicker than the weather. I know the track of 5-9 would have to go through a similar rezoning effort, but let's not kid ourselves, once the initial rezoning is done this area is soon to be the next development step. I suspect if he doesn't get this approved, the developer will then vindictively try to make conditions on Sechrest even worse than we've had to deal with the past 3+ years. No longer cutting the grass, watering, weed control, refusal to remove dead trees, collapsing walking

trails, etc... The only defense residents of Loch Lloyd have is our Village structure of members (you all), who are residents entrusted to protect all the communities' best interests – not a developer. So please consider this carefully when you cast your vote.

Lastly, just to demonstrate the unprofessionalism and fear of retaliation out here, a well-spoken lady (Susan Kitzsteiner – Realtor) spoke at the open comments portion of the Planning and Zoning meeting last week stating that, as a Realtor, the residents who live on Sechrest will certainly see significant damages in property value if this proposal were to continue. Brian had her Social Membership canceled the following morning. I don't want to live in a community like this where we pit North and South residents or non-Sechrest homeowners against each other. Would you?

Thank you all for volunteering for the positions you hold, as I frankly would not want to be in your positions for the most critical decision this community has seen in it more than 35-years of existence.

Best Regards,
Mark

Mark Hense

Chief Executive Officer
7561 South Highway 13, Higginsville, MO 64037
P [660-584-2448 Ext. 38](tel:660-584-2448) **M** [816-809-8806](tel:816-809-8806)
mhense@ttgtech.net | www.ttgtech.net

Boice Linda via_rnh.rde.mybluehost.me

Mon, Jan 20, 3:31 PM
(15 hours ago)

to me

Name
Boice Linda
Email
Linda2bill1944@gmail.com
Comment or message
SECRET DEVELOPMENT: I would like to recommend that the Trustees follow the recommendation of the Planning&Zoning Committee regarding the development of the Secrest. The studies that need to be done regarding water, roads, etc. prior to any plan approval are vital to the well being of our entire Village now and in the future. It would be careless of the Trustees to disregard these requirements. I appreciate your consideration. Thank you Linda Boice

Troy Braswell via_rnh.rde.mybluehost.me

Sat, Jan 18, 10:12 AM
(3 days ago)

to me

Name

Troy Braswell

Email

troygbraswell@gmail.com

Comment or message

Residents of our Community have spent a tremendous amount of time & money working with Confluence , our P&Z team & Board of Trustees to develop a Master Plan for all of Loch Lloyd . The current plan recently reviewed by our P&Z board twice & rejected on 12/5/24 does not conform in any way to this Master Plan.

Unfortunately Our SHOA has not been involved in this process despite requesting meetings with the development team. The SHOA is a very important part of keeping our community safe , secure and the quality of what we've enjoyed over the years.

I'd recommend members of all groups meet with a few members of the stakeholders & review a plan that benefits all parties.

During the Master Plan process, discussions like this took place & it seems our current proposal varies greatly from those results.

Let's develop a plan where all parties benefit.

As a 25 year resident on what was a beautiful golf course # 8 Sechrest we are sickened by what has happened to our property & the loss of value due to the loss of the golf course.

Troy & Marsha Braswell

16843 S Highland Ridge Dr

From: [Ruth Withey](#)
To: [Christopher Shires](#)
Subject: Fwd: Board of Trustee Meeting Info for February 19th
Date: Monday, February 17, 2025 10:54:39 AM

Begin forwarded message:

From: Troy Braswell <troybraswell@gmail.com>
Date: February 17, 2025 at 10:35:14 AM CST
To: "Randal L. Schultz" <randal.schultz@lathrogpm.com>, Ruth Withey <ruthfw13@gmail.com>, John Murphy <jmurphini@gmail.com>, Stevie Douglas <stevie@mtbservices.com>, Tony Lafata <lafata3tjl@gmail.com>
Cc: troybraswell@gmail.com
Subject: Fwd: Board of Trustee Meeting Info for February 19th

Good Morning
Trustee's
Marsha & I appreciate you serving our beautiful, peaceful & safe community. After the development of the Village Master Plan which allowed everyone to voice their opinions & concerns for the future of our Village. The Planning & Zoning members reviewed a plan from the developers & rejected it as submitted. We understand you may be considering several options Wednesday evening. Please make your decision based on what's best for the residents that elected you to be our Trustees . We've already lost our golf course that we built on 25 years ago this month ! Trust is earned and appreciated.
Sincerely
Troy & Marsha Braswell

Sent from my iPhone

Begin forwarded message:

From: Village of Loch Lloyd <info@villageoflochllloyd-mo.org>
Date: February 17, 2025 at 9:29:53 AM CST
To: troybraswell@gmail.com
Subject: Board of Trustee Meeting Info for February 19th
Reply-To: Village of Loch Lloyd <info@villageoflochllloyd-mo.org>

From: [Ruth Withey](#)
To: [Christopher Shires](#)
Subject: Fwd: *** Very Important: Connie Long Sechrest rezoning application analysis ***
Date: Thursday, February 13, 2025 4:59:47 PM

Begin forwarded message:

From: Keith Lilek <keithlilek@gmail.com>
Date: February 13, 2025 at 3:29:01 PM CST
To: Joseph Timmons <j.timmons27@gmail.com>, rschultzlochllloyd@gmail.com, villageoflltrustee@gmail.com, lochlloyddpzjohn@gmail.com, Ruth Withey <ruthfw13@gmail.com>, steviedouglas204@gmail.com, Terri Lilek <theathl@hotmail.com>
Subject: Re: * Very Important: Connie Long Sechrest rezoning application analysis *****

Trustees...first of all, thank you for representing all of us with your work. Terri and I appreciate your efforts. I wanted to clarify our position on this matter and the document by Joe Timmons. It does not paint a positive image of the process (violations) and procedures in our rightful claim to maintain standards...seems obvious. So, our position is simple. Our hope was always to view a golf course. If that is unobtainable, then properly manicured open space, not housing. The argument is being made that we need an enforceable quid pro quo. I would not agree to any development until a legally enforceable and transferrable (new ownership) agreement to develop Seacrest (according to the resident's wishes) is obtained. There should be no shortcuts, as they will lead to more.

On Tue, Feb 11, 2025 at 7:34 PM Joseph Timmons <j.timmons27@gmail.com> wrote:

Village of Loch Lloyd Resident;

Attached is a detailed analysis of the developer's rezoning application (provided with permission by Connie Long). The Village of Loch Lloyd Board of Trustees is scheduled to vote on the Sechrest rezoning application and the Agreement Document with the developer that was proposed at the last meeting held January 23rd. I urge you to read this closely and understand the serious impact this rezoning application will have on the future development of Loch Lloyd. While there will be no further public input on this proposal, that does not preclude any resident of Loch Lloyd from sending a note to the Board expressing your opinions on this proposal. **Your voice needs to be heard!** I would urge you to also attend the meeting scheduled for February 19th at 6:00 at the Club House.

Thank you for your close study of this analysis. I hope to see you at the upcoming meeting on the 19th.

Addresses:

Randy Schultz, Chairman 913-271-4327 rschultzlochllloyd@gmail.com

From: [Ruth Withey](#)
To: [Christopher Shires](#)
Subject: Fwd: Rezoning Vote for February 19
Date: Tuesday, February 18, 2025 5:57:08 PM
Attachments: [Board Letter on Rezoning for 2-19-25.docx](#)

Begin forwarded message:

From: Cory Smith <corysmith6576@outlook.com>
Date: February 18, 2025 at 5:53:55 PM CST
To: Randy Schultz <rschultzlochllloyd@gmail.com>, lochllloydpzjohn@gmail.com, Tony Lafata <lafata3tjl@gmail.com>, steviedouglas204@gmail.com, Ruth Withey <ruthfw13@gmail.com>
Subject: Rezoning Vote for February 19

Village Board members:

I'm sure you've heard from many, many residents by now on this issue, and you may wonder if you made the right decision to be a member of the Board. This is an issue that has been on the minds of many for the past five or more years now, but this particular plan has just been before the public, the Planning and Zoning Commission, and the Board since October last year. It's one that has divided our community, but only directly impacts a portion of the community as a new development concept for development on the Sechrest.

The final decision impacts our community both now and, in the future, and either meets the policy standards we just established, as well as UDO standards set years ago, or it effectively modifies those now and in our possible consideration of future development projects. It may only be a policy guide for development, but it was meant to reflect our community opinions and preferences and to protect residents from unwanted development not consistent with the character of the Village.

You've heard from many interested and concerned people already, but I would appreciate your consideration in reviewing the attached list of points that have been raised over the past few months and actions taken by key groups within our community that have also given a great deal of thought to

this issue.

Thank you,

Cory Smith

From: [Ruth Withey](#)
To: [Christopher Shires](#)
Subject: Fwd: Rezoning Meeting on 2/19
Date: Monday, February 17, 2025 12:00:38 PM

Begin forwarded message:

From: John Devaney <john.d.devaney@gmail.com>
Date: February 17, 2025 at 11:56:02 AM CST
To: villageoflltrustee@gmail.com, steviedouglas204@gmail.com,
lochloydpzjohn@gmail.com, ruthfw13@gmail.com
Subject: Rezoning Meeting on 2/19

The reason I am reaching out to you is to encourage you to vote against to rezoning of Loch Lloyd for many reasons including the fact that we have paid for a Master Plan and right away the Developer wants to deviate from it, he has been unwilling to meet with and discuss it with the South Side HOA or even do the studies in advance. The Village belongs to us residents not the developer who seems to act as though he can do anything he wants. I know and I hope you know that the large majority of residents are against the rezoning, please do the right thing and vote against the rezoning. Thanks

From: [Ruth Withey](#)
To: [Christopher Shires](#)
Subject: Fwd: Rezoning Application
Date: Tuesday, February 18, 2025 7:08:13 PM

Begin forwarded message:

From: Kay Rippy <kjrip67@gmail.com>
Date: February 18, 2025 at 7:05:37 PM CST
To: rschultzlochloyd@gmail.com, Anthony Lafata
<villageoflltrustee@gmail.com>, lochlloyddpzjohn@gmail.com, Ruth Withey
<ruthfw13@gmail.com>, steviedouglas204@gmail.com
Subject: Rezoning Application

Because I am unable to attend the meeting on February 19, I am providing my thoughts in this email.

I appreciate that you all have spent countless hours examining the referenced Application. The inability of the Board to conclude that the Application does not meet the requirements necessary to make an informed decision is baffling to me. Without an understanding of the true scope and impacts of the development, it seems impossible to approve the Application.

There is no question that the Application includes items that are clearly in violation of Village and Homes Association standards. Therefore, it only makes sense to reject the Application until the Developer can provide the vital information necessary to consider whether it is in the best interests of your constituents.

The position of the majority of the residents you were elected to represent has been overwhelmingly to reject the Application. How you can even consider ignoring your responsibilities to the citizens of the Village of Loch Lloyd is impossible to understand.

Respectfully,

Kay Rippy

From: [Ruth Withey](#)
To: [Christopher Shires](#)
Subject: Fwd: Rezoning of Seacrest meeting
Date: Tuesday, February 18, 2025 5:36:21 PM

Begin forwarded message:

From: Susan Devaney <susanjdevaney@gmail.com>
Date: February 18, 2025 at 4:56:59 PM CST
To: rschultzlochloyd@gmail.com, villageoflochlltrustee@gmail.com,
steviedouglas204@gmail.com, lochloyddpzjohn@gmail.com,
ruthfw13@gmail.com, bbloss1955@gmail.com
Subject: **Rezoning of Seacrest meeting**

My name is Susan Devaney and I have lived in Loch Lloyd South side for 22 years. I encourage you to vote against the rezoning request by the developer. We have paid thousands of dollars to create a master plan for our community.
Thank you, Susan Devaney.

From: [Ruth Withey](#)
To: [Christopher Shires](#)
Subject: Fwd: Please vote against the Rezoning Proposal"
Date: Wednesday, February 12, 2025 4:02:51 PM

Begin forwarded message:

From: Nancy Addy <naddy2@me.com>
Date: February 12, 2025 at 3:16:25 PM CST
To: rschultzlochloyd@gmail.com, villageoflltrustee@gmial.com,
lochloyddpzjohn@gmail.com, Ruth Withey <ruthfw13@gmail.com>,
steivedouglas204@gmail.com
Subject: Please vote against the Rezoning Proposal"

Hello I would like to submit my request that you vote against the Rezoning Proposal or future amendment of the Master Plan.

Because of the magnitude of its variance and the potential negative impacts to the Loch Lloyd community and its infrastructure, it seems logical that as a community we would require the developer to address the many issues that the community has repeatedly brought up in regards to protecting the health, safety and welfare of the community. The current Master Plan requires thoughtful consideration of issues before granting rezoning. The community has repeatedly spoken. I along with many others respectfully request that you respect our voice and reject this Rezoning Proposal and any amendment to the Master Plan.

Thank you,
Nancy Addy

From: [Ruth Withey](#)
To: [Christopher Shires](#)
Subject: Fwd: Loch Lloyd - Sechrest
Date: Thursday, February 13, 2025 4:58:38 PM

Begin forwarded message:

From: ? <wenlen46@aol.com>
Date: February 13, 2025 at 4:25:53 PM CST
To: rschultzlochlloyd@gmail.com, villageoflltrustee@gmail.com,
lochlloydjohn@gmail.com, ruthfw13@gmail.com,
steviedouglas204@gmail.com
Subject: Loch Lloyd - Sechrest

Hello,

My name is Wendy Franz and I live on Highland Ridge. I drive by the Sechrest every day. I cannot imagine what that would look like if you vote on the Sechrest rezoning app and the Agreement Document. We've lived here for 30 years and watched alot of changes - more houses, a great playground and many other improvements. This is not one of them.

If you look at the North part of Loch Lloyd, there is no "vibe" over there. Just a bunch of houses, so close together and nothing community like. On the South side, there is a great vibe - what we all wanted and have at this time.

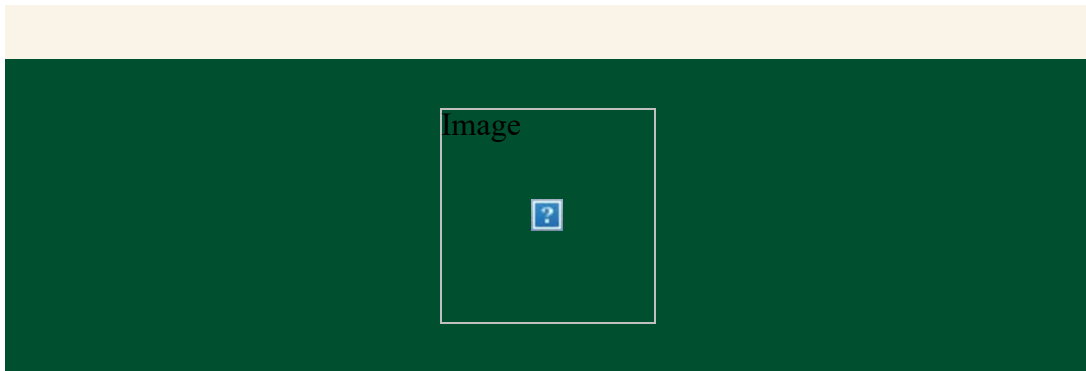
It is disturbing to me that the Developer, who mentioned how concerned he was in the beginning to keep Loch Lloyd as great as it was and because he lived here, it was important to him. Well, he is not impacted by this mess - he won't have to deal with the trucks and mud and live with the small houses and more cars. We can barely make it through the lawn company trucks on Highland Ridge!

This is a bad idea. Please do not vote to approve.

From: [Ruth Withey](#)
To: [Ruth Withey](#)
Subject: Fwd: Building the Ultimate Club Experience: A Letter from Brian Illig
Date: Friday, February 14, 2025 1:24:49 PM

Begin forwarded message:

From: Loch Lloyd Country Club <communications@lochlloyd.com>
Date: February 14, 2025 at 10:31:29 AM CST
To: Ruth Withey <ruthfw13@gmail.com>
Subject: **Building the Ultimate Club Experience: A Letter from Brian Illig**
Reply-To: communications@lochlloyd.com



Dear Ruth,

Every year since taking ownership, I take a moment to reflect on everything we've accomplished, get excited about what is ahead, and provide full transparency to our Members on our vision for the Club. And every year, I come to the same realization: how fortunate we are.

We are part of an incredible community and have access to the best golf course in Kansas City. And our Club keeps getting better year after year.

From day one, I told myself I would keep a running list of all the positive changes we have made so I can look back and truly appreciate our progress. That list? It didn't last long. We have been so busy, and the list has gotten so long that it has taken on a life of its own. What started as

a few enhancements has evolved into something much bigger. Now, we're on the verge of experiencing the best version of Loch Lloyd yet.

And the best part? **We are just getting started.**

While the \$11mm recreation complex continues to take shape, we are also working with an architectural firm on conceptual designs for a fully renovated Clubhouse. The future of the clubhouse project depends on the approval of the Club's proposed Loch Lloyd Sechrest development. Regardless of that outcome, our vision is crystal clear:

"To create the best golf club experience in the region and make Loch Lloyd the most desirable place to live in Kansas City."

That means continuing to reinvest, innovate, and elevate every aspect of the Club.

I once heard that a truly great Club experience is built on five key elements: a great golf course, a great clubhouse, great food, great associates, and great Members. This philosophy aligns perfectly with our vision at Loch Lloyd. Every decision we make is centered around enhancing these pillars.

Great Golf Course

Course conditioning can make or break a club's reputation. It's a delicate balance between maintaining championship-level play and ensuring long-term sustainability, and our Golf Course Superintendent, Grant Suderman, continues to demonstrate excellence. We are constantly investing in improvements, expanding teeing surfaces on Hole # 2, enhancing drainage, repairing cart paths, and installing fans in high-stress areas around green complexes to deliver top-quality and consistent playing conditions every day.

Great Clubhouse

As I mentioned, we are actively working on high-level conceptual designs for a fully renovated Clubhouse. With the advancement of the Sechrest development plan, our goal is to create a space that blends

rustic elegance with refined interior finishes and modern amenities. This will be another piece, and potentially the largest, of our comprehensive improvement plan, intentionally designed to elevate every moment our Members spend at the Club.

Great Food

Since acquiring the Club, we've completely transformed the culinary experience. Our Food and Beverage Director, Hannah Huffman, and her team have been instrumental in leading that charge, bringing in top-tier talent and taking our dining program to the next level. Expect more of the same: seasonal menus, premium ingredients, and exceptional at-home dining options. Whether you're dining with us or taking a meal home, our goal is to be your first and only choice.

Great Members

The heart of the Club is our Members. This place would not be what it is without you.

Last year, we introduced our new Social Membership offering, which allowed us to reset expectations and focus on improving one of our key goals, the culture of our Club. We want Loch Lloyd to be a place where camaraderie, respect, and active engagement thrive. This means seeing Members on the course, enjoying the dining, participating in events, and contributing to a healthy and meaningful social atmosphere. Similarly, just as we hold our associates to high standards, we expect the same self-governance from our Members, treating each other and our team with the respect they deserve.

New Membership Approval Process

"Culture does not make people. People make culture."

We take seriously our responsibility to maintain the high standards of this Club, and that starts with who we allow to join. Because of that, we have implemented a more traditional and rigorous vetting process to ensure that every Member aligns with our values and contributes to the Club's culture.

I will personally be reviewing every membership application to ensure they meet our Club's expectations. **If someone does not embrace what we are building, they will not be approved. It's that simple.**

New Membership Rates

With the growing number of people wanting to join our Club, it is important to protect the value of the existing memberships and thoughtfully enhance their worth. One way we do that is through strategic pricing adjustments for new memberships.

Effective April 1, 2025:

- Full Golf initiation will be \$50,000
- Social initiation will be \$10,000

Additionally, as previously shared, we are taking steps to maintain the exclusivity and experience of our Club for our Members by carefully managing guest access. Loch Lloyd is not a public community or recreation center; it is a private country club for our dues-paying Members.

Over the last decade, I've been fortunate to be part of some truly remarkable projects, all built around one core mission: delivering world-class experiences. And if there is one thing I know, it's that there is no easy or direct path to success. But with persistence, vision, and the right people, we always get there.

If I've learned anything in my time as Club owner, it's that I will not make everyone happy, and that's okay. Loch Lloyd may not be the right fit for everyone, and that's okay, too.

I could not be more excited about where we are heading, and I am grateful to have you on this journey. Your support, participation, and feedback have been invaluable in shaping the future of our Club. Walking through the Club, meeting new Members, and seeing the progress we have made is incredibly rewarding. But I also know that the

best is yet to come, and I look forward to continuing this journey with you.

Thank you for your trust, support, and commitment to making Loch Lloyd the best it can be; I promise you it will be worth your while.

Wishing you a warm, safe, and enjoyable weekend,



Brian Illig

Managing Owner, Loch Lloyd Country Club

(816) 322-1022

16750 Country Club Drive
Village of Loch Lloyd, MO 64012

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This message was sent to Ruth Withey <ruthfw13@gmail.com> by Loch Lloyd Country Club
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BOARD OF TRUSTEES MEETING OF 19FEBRUARY2025

TO: LOCH LLOYD BOARD OF TRUSTEES

FROM: JAY BURNS

SUBJECT: APPROVAL OF APPLICATION FOR DEVELOPMENT OF
A PORTION OF SECHREST GOLF COURSE

DATE: 16FEBRUARY2025

As the Trustees for Loch Lloyd, you represent all residents of the community.

As I look at the submittal from the developer, it lacks too much detail to give a blanket approval, even with stipulations that must be completed prior to any construction.

There are other stakeholders that have not been a part of the approval process, and they need to be brought into the approval process.

In past meetings, residents have been very vocal about not approving any development. I think that there could be (and should be) some additional housing that could be approved. But there must be a lot of additional work done to get approval of any additional development.

I suggest that you vote not to approve the developers plan until all conditions are met and all stakeholders have been involved in the process.

Refer the plan back to the Planning and zoning for monitoring and reviewing any revised plans.

If the board approves this as it now stands, how can you look any resident in the eye and say, "I did the best thing for Loch Lloyd and the residents!"

Put the village first and the potential of repercussions from the owner of the Golf Course second.

Or recuse yourself from voting if you are a Golf Member or Social Member.

Jay Burns

16933 E Heather Lane

Village of Loch Lloyd 64012

From: [Ruth Withey](#)
To: [Christopher Shires](#); [Jonathan Zerr](#)
Subject: Fwd: Board of Trustees Meeting, February 19, 2025
Date: Saturday, February 15, 2025 6:28:13 PM

Begin forwarded message:

From: Maida Worland <maidaaw@yahoo.com>
Date: February 15, 2025 at 5:17:05 PM CST
To: rschultzlochloyd@gmail.com, villageoftrustee@gmail.com,
steviedouglas204@gmail.com, lochloyddpzjohn@gmail.com,
ruthfw13@gmail.com
Subject: Board of Trustees Meeting, February 19, 2025

The application to rezone the Sechrest is undermining the intent of the Master Plan and should be unanimously rejected. The Trustees have the responsibility to represent the Loch Lloyd community and the community has spoken through the Master Plan which the Trustees are well aware of.

The adverse impact regarding noise pollution, light pollution, sewage, water pressure, road width, to name a few, is undesirable and creates a negative outcome for current residents. The traffic as it is today and will continue to be with more density prohibits safety egress from Loch Lloyd and is life threatening to residents in an emergency situation. When an ambulance is delayed minutes from treating someone in need because it cannot maneuver the roadway, that person's life is in jeopardy. In case of an emergency evacuation the roads are not in compliance with safety standards and extra density created by more housing is life threatening to residents.

It is a unconceivable that such talented and intelligent persons would accept a plan that is fraught with so many questions which directly conflict with their duties to represent the people. In conclusion, I would highly recommend that you adhere to the new Master Plan and deny application to rezone the Sechrest as presented at the February 19, 2025, Board of Trustees Meeting.

Yours truly,
Maida Worland
16991 Heather Ln

From: [Ruth Withey](#)
To: [Christopher Shires](#); [Jonathan Zerr](#)
Subject: Fwd: Rezoning
Date: Tuesday, February 18, 2025 12:32:09 PM

Begin forwarded message:

From: Camille Deer <the-deers@kc.rr.com>
Date: February 18, 2025 at 12:29:22 PM CST
To: Randal Schultz <rschultzlochllloyd@gmail.com>, Tony Lafata <villageoflltrustee@gmail.com>, Stevie Douglas <steviedouglas204@gmail.com>, John Murphy <lochlloyddpzjohn@gmail.com>, Ruth Withey <ruthfw13@gmail.com>
Subject: Rezoning

We have been residents of Loch Lloyd for 20 years and have valued the beautiful and unique community that Loch Lloyd offers their residents. We are relying on the Board of Trustees to follow your fiduciary responsibility, to speak for the majority of the residents and not for the few, and also to vote in accordance with the rules and vision of the original owners. We are asking all of you, as trustees of Loch Lloyd, to vote NO on the proposed changes in our community.

David and Camille Deer
16630 Country Club Court

From: [Chuck](#)
To: [Randy Schultz](#); [Anthony Lafata](#); steviedouglas204@gmail.com; [John Murphy](#); ruthfw13@gmail.com
Cc: [Christopher Shires](#); [Jonathan Zerr](#); Joni.etherington@gmail.com; [Chuck](#)
Date: Tuesday, February 18, 2025 11:04:01 AM

Dear Trustees:

I am writing to cut through the noise being created by the SHOA and a minority of the SHOA community. I support your consideration of limited development on the Sechrest in exchange for securing significant and lasting improvements in the maintenance of the remaining green space, **as do most Village residents.**

How do we know that to be true? Recall that: (i) almost 80% of residents responding to the initial survey conducted by Confluence as part of the Master Plan development process said they wanted improvements made to the condition of the Sechrest properties, and (ii) 75% of respondents said they would support development on the Sechrest if a quality Par 3 course was included. This application and development agreement would accomplish the desired improvements and preserve a Par 3 course as possible.

The two biggest issues facing the Trustees today, by far, are how to achieve improvement in the current condition of the Sechrest properties and determining the highest and best use for those properties vis-à-vis the Developer's application for rezoning.

Rejecting the Developer's application achieves neither. But your approach in negotiating a development agreement to protect the community from harm and secure the Developer's promises as a condition of approving the rezoning application resolves both issues. It avoids years, perhaps decades, of continued griping and second guessing about the condition of the Sechrest properties. And it avoids the potential for years of expensive litigation trying to enforce an as-yet unadopted ordinance defining a "park-like setting" and remedy provisions. Don't get me wrong, if approved, those opposed to development will continue griping for a while. But once the grass grows in and residents begin using the improved greenspaces, the complaints will die out.

Therefore, if you're successful in negotiating a development agreement that contractually requires all the engineering studies and agreements necessary to protect the community, eliminates the density issues at the west end of the newly proposed Beverly Court, and secures the other community benefits promised by the Developer before any dirt can move, then I am for the application.

As I said in my public comments at the last Trustees meeting, we have been negotiating with the Developer as a community through surveys, open meetings, direct feedback and the like for over a year, and he has listened and

made changes to his proposal. Unless there is something else specific and reasonable that you have asked for that he has refused, take this deal.

It will allow us to remove the eyesore that is the abandoned Sechrest nine, and it lets us begin the process of healing this community.

Chuck Etherington

50 Street of Dreams

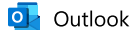
From: [Ruth Withey](#)
To: [Randy Schultz](#); [Tony Lafata](#); [Stevie Douglas](#); [John Murphy](#); [Christopher Shires](#)
Subject: Fwd: Letter to Trustees:
Date: Wednesday, February 19, 2025 12:57:45 PM

Begin forwarded message:

From: Linda Boice <linda2bill1944@gmail.com>
Date: February 19, 2025 at 12:45:16 PM CST
To: ruthfw13@gmail.com
Subject: Letter to Trustees:

Hi Ruth,
I tried to submit this to website and it did not work.

Dear Trustees:
Thank you for volunteering your time and expertise to our Village.
I understand a lot of time and effort has gone into the Application for the rezoning of the Seacrest.
It is my understanding that normally the governing body relies on the Planning and Zoning Committee to guide them in this process.
The P&Z have Recommended twice to NOT approve the rezoning until the developer has done his due diligence regarding:
Water, sewage, streets and including the South HOA in this process.
It is my opinion that these recommendations should be addresses before approval is considered.
Please consider the needs of the entire Village community when you are making your decisions.
Thank you
Linda Boice
Sent from my iPhone



Fwd: February 28, 2025, Board of Trustees Meeting

From Ruth Withey <ruthfw13@gmail.com>
Date Wed 2/26/2025 5:18 PM
To Christopher Shires <cshires@thinkconfluence.com>

1 attachment (161 KB)
Board_Memo.101.pdf;

Begin forwarded message:

From: Aaron Bowers <abowers@shortcreekcapital.com>
Date: February 26, 2025 at 3:15:18 PM CST
To: rschultzlochloyd@gmail.com, villageoflltrustee@gmail.com, stevedouglas204@gmail.com, lochloydpjohn@gmail.com, ruthfw13@gmail.com
Cc: jsz@kapkewillerth.com
Subject: February 28, 2025, Board of Trustees Meeting

Dear Chairperson Schultz, Clerk Lafata, Honorable Trustees Douglas, Murphy and Withey,

First of all, I want to express my heartfelt thanks to each of you for your extraordinary dedication and service to the Village of Loch Lloyd. We finished construction on our new home (16708 Country Club Court) less than 18-months ago, and have daily counted our blessings at being a part of such a beautiful and welcoming community in which each of you has played a substantial role.

I am writing you today to share my thoughts on the current rezoning issues with which you have had to grapple. Having previously represented a California municipality in federal environmental litigation, I've worked closely with elected city officials "behind the scenes," and have a great appreciation for the vagaries incident to your service. The open and transparent willingness with which you have welcomed community input into these matters without fear of reprisal is laudable and likely to produce the best possible outcome for all stakeholders.

The attached memorandum is humbly intended to be no more than one resident's considered view of certain procedural and substantive issues attendant to the February 28, 2025, Board of Trustees Meeting and Sechrest Amended Rezoning Application. Considering the public square's present fervor surrounding rezoning, please accept this submission in the spirit in which it is intended - my effort to ensure the issues set forth in the memorandum are properly joined prior to your legislative action.

Thank you in advance for your thoughtful consideration. We are champions for positive change which leads to the continued flourishing of our community, and fully committed to supporting your ongoing efforts to maintain and advance the Village of Loch Lloyd - a community best described as "a notch above excellent." Respectfully, Aaron.



Aaron L. Bowers,
7400 W. 132nd Street,
Overland Park, KS 661
D: (913) 433-7071
M: (913) 660-8795
F: (913) 433-7171

From: Aaron L. Bowers, Esq.
To: Village of Loch Lloyd Board of Trustees
Cc: Jonathan Zerr, Village Attorney; File
Date: February 26, 2025
Re: February 28, 2025, Board of Trustees Meeting re Sechrest Rezoning Application

I. PERTINENT CHRONOLOGY

- On October 10, 2024, the Village Planning and Zoning Commission (the “Commission”) held a public hearing on an application to rezone the Sechrest property from Recreation and Open Space District (ROS) to Single Family Residential District (R-1) (the “Rezoning Application”). 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 response to issues raised by the South HOA, a project drainage and stormwater management study, 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 10th Commission meeting, the applicant submitted a letter in response to the Commission’s request for additional information. Rather than addressing the totality of the Commission’s informational requests, the applicant renewed its request that the rezoning application move forward for action by the Commission and subsequent action by Village Board of Trustees (the “Board”).
- On December 5, 2024, the Commission held a second public hearing on the Rezoning Application. After receiving public comments and considering the reports and testimony provided, the Commission adopted a resolution recommending the Board deny the Rezoning Application based upon, *inter alia*, the following findings:
 - The requested rezoning is not consistent with the land uses as shown on the Village’s adopted Land Use Master Plan map and does not address all of the policy considerations as provided in said Land Use Master Plan.
 - The applicant has not verified to the satisfaction of the Planning and Zoning Commission that there is adequate sanitary sewer and water service capacity in

which to serve the proposed development and that concerns related to the management of stormwater runoff have been addressed.

- The requested rezoning impacts the character of the surrounding neighborhoods based on the proposed change in use and the proximity and density of the proposed development the rezoning would permit.
 - The rezoning lacks public benefit and has a greater detrimental impact upon the surrounding properties than the benefit it brings to the owner of the property proposed to be rezoned.
- Following the December 5, 2024, Commission meeting and final report, the applicant submitted a revised plan for rezoning Area 4 reducing the number of proposed lots by three and changing side yard building setbacks from 7.5 ft to 5 ft (the "Revised Application").
 - On January 23, 2025, the Board held a public hearing on the Revised Application. After receiving public comments, the Board closed the public hearing, passed a motion to continue this item to February 19, 2025, and directed its attorney to draft a development agreement (the "Development Agreement") between the Village and the applicant for review and consideration by the Board.
 - Subsequent to the January 23, 2025, Board Meeting, the December 5, 2024, Commission meeting, and 5-hours prior to the February 19, 2025, Board Meeting, the Board distributed the aforementioned Development Agreement to the public.
 - After calling the February 19, 2025, Board Meeting to order, the Board adjourned to Executive Session citing "litigation issues." Upon close of the Executive Session and reopening of the Board Meeting, the Board continued the rezoning application to February 28, 2025, at 4:00 p.m.
 - On February 24, 2025, the Board publicly distributed draft Ordinance No.: 2025-02-28-1 (the "Affirmative Ordinance"). The Affirmative Ordinance states that the Development Agreement is a condition precedent to "any rezoning of the properties included in the application."

II. PROCEDURAL ISSUES

A. The Board Cannot Take Valid Action on the Amended Rezoning Application at the February 28, 2025, Board Meeting.

Zoning determines the permitted and conditional uses of land for the purpose of promoting the “health, safety, morals or the general welfare of the community.” RSMo § 89.020. In Missouri, zoning is governed by the Missouri Zoning Enabling Act which is codified in the RSMo §§ 89.010-89.140. *City of Louisiana v. Branham*, 969 S.W.2d 332, 336 (Mo.App.E.D. 1998). The powers of zoning and rezoning are granted to the legislative bodies of municipalities and are exercised through the enactment of ordinances. Re-zoning is a legislative act under Missouri law, and the Board has broad legislative discretion to consider the general welfare, the effect on adjoining properties, the public benefit versus the private detriment, and all other matters necessary and relevant to the decision. *Heidrich v. City of Lee’s Summit*, 916 S.W.2d 242, 248 (Mo. App. W.D. 1995); *Hoffman v. City of Town and Country*, 831 S.W.2d 223, 224 (Mo. App. E.D. 1992). RSMo §§ 89.050 – 89.060 govern amendments to zoning districts or regulations, requiring public hearing and official notice. *Murrell v. Wolff*, 408 S. W.2d 842, 848 (Mo. 1966). It is well-established Missouri law that the requirements of RSMo §§ 89.050 – 89.060 respecting notice and hearing are mandatory and necessary to the validity of an amending ordinance. *Wippler v. Hohn*, 341 Mo. 780, 110 S.W.2d 409, 411 (Mo. 1937).

As succinctly explained in *Louisiana v. Branham*, *supra*:

Missouri courts have long held that our state’s Zoning Enabling Act, Sections 89.010 through 89.140 RSMo, is the sole source of power and measure of authority for cities, towns and villages in zoning matters. *City of Moline Acres v. Heidbreder*, 367 S.W.2d 568, 572 (Mo. 1963). Zoning ordinances constitute an exercise of the state’s police power. *Dahman v. City of Ballwin*, 483 S.W.2d 605, 608 (Mo.App. St. Louis 1972). As such, a city has no inherent police power to zone but rather must look to the Enabling Act to determine the extent of such power delegated to it by the state. *Allen v. Coffell*, 488 S.W.2d 671, 678 (Mo.App. K.C. 1972). Any valid exercise of such delegated powers must conform to the terms of the statutory grant. *Id.* Enactment of a zoning ordinance **or the amendment** of an existing ordinance must, therefore, strictly comply with the statutorily prescribed notice and hearing requirements of 89.050 and 89.060 RSMo. *Dahman* at 608; *City of Monett v. Buchanan*, 411 S.W.2d 108, 113 (Mo. 1967); 101A C.J.S. Zoning Planning, Section 84, p. 315. Where the procedural requirements of the Enabling Act are not strictly complied with, the ordinance

passed is invalid and cannot be enforced. State ex rel. Casey's General Stores, Inc. v. City of Louisiana, 734 S.W.2d 890, 895 (Mo.App.E.D. 1987).

City of Louisiana v. Branham, 969 S.W.2d 332, 336 (Mo. Ct. App. 1998) (**emphasis in original**).

The Board cannot lawfully avoid strict compliance with the Zoning Enabling Act's mandatory, procedural requirements respecting public notice and hearing. First, the Board avers that both the Revised Application and the Development Agreement (collectively referred to hereinafter as the "Amended Rezoning Application"), were submitted by the applicant **after** the Commission's December 5, 2024, action and final report on the Rezoning Application. Accordingly, the Amended Rezoning Application was not considered by the Commission nor included in its final report. Likewise, the Amended Rezoning Application was not afforded the requisite public notice and hearing before the Commission.

Second, even if the Board takes the position that the Amended Rezoning Application does not require public notice and hearing before the Commission, the Board itself cannot avoid statutory public notice and hearing on the Amended Rezoning Application. RSMo § 89.050 states:

The legislative body of such municipality shall provide for the manner in which such regulations and restrictions and the boundaries of such districts shall be determined, established, and enforced, and from time to time amended, supplemented, or changed. However, no such regulation, restriction, or boundary shall become effective until **after** a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. At least **fifteen days' notice** of the time and place of such hearing shall be published in an official paper or a paper of general circulation in such municipality. (**emphasis added**).

The Board has indicated its intent to act on the Amended Rezoning Application at the February 28, 2025, Board Meeting despite affording the public a mere 9-days' notice of the Amended Rezoning Application and no public hearing, both of which are in violation of Missouri law. "The provisions of section 89.050 relative to public hearing and official notice shall apply equally to all changes or amendments" (RSMo § 89.060), and any unlawful consideration of the Amended Rezoning Application at the February 28, 2025, Board Meeting is likely invalid upon subsequent judicial scrutiny.

B. Trustees Holding Club Memberships Must Recuse Themselves from Action on the Amended Rezoning Application Pursuant to Missouri Conflict of Interest Law.

No elected or appointed official or employee of the state or any political subdivision thereof shall favorably act on any matter designed so as to provide a special monetary benefit to such official or his or her spouse or dependent children. In all such matters, such officials must recuse themselves. RSMo § 105.452. In or about February 2025, the controlling member of both the applicant and Loch Lloyd Country Club (the "Club") sent correspondence to all Club members stating, "[w]e are also working with an architectural firm on conceptual designs for a fully renovated Clubhouse. The future of the clubhouse project depends on the approval of the Club's proposed Loch Lloyd Sechrest development." This statement, chargeable to and binding upon the applicant, creates an actual and/or apparent conflict of interest for each Trustee that is a Club member. The framing of "approval of the Club's proposed Loch Lloyd Sechrest development" as a *quid pro quo* for "a fully renovated Clubhouse," is inconsistent with RSMo § 105.452, such that each Trustee/Club member must recuse themselves from acting on the Amended Rezoning Application at the February 28, 2025, Board Meeting and thereafter.

III. Substantive Issues.

A. No Easement for Development or Construction Activities.

Section 4.02.b of the Development Agreement states in pertinent part:

The Company has represented that it has a recorded access easement (the "Easements") with the South HOA authorizing its construction equipment, contractors, sub-contractors, representatives, agents, and any future purchasers of lots within the Project to access the roadways, gates, parkways, and private streets owned and maintained by the South HOA. A copy of the Easement is attached hereto and incorporated by reference herein as Exhibit "F". The Village is not a party to the Easement. Access by the Company and its affiliates will be limited to the rights, reservations, obligations, conditions, and authority granted by the Easement. To the extent that the Company breaches the terms of the Easement, the South HOA may seek to enforce its rights pursuant to any remedies contained within the terms of the Easement, and by any action at law or in equity.

Respectfully, the Board has a legislative obligation to consider and address this portion of the Amended Rezoning Application prior to acting on same. At a minimum, it is suggested that the Board seek the legal opinion of the Village attorney on this access matter to test the

applicant's self-interested "representation." The applicant's unusual request that the Board approve the Amended Rezoning Application without resolution of access may represent a thinly veiled attempt to bolster the applicant's future arguments to create an appurtenant easement by necessity, i.e., ingress and egress easement rights by necessity for development and construction of rezoned properties.

The only valid, express, recorded easement by which the applicant can claim access rights to Amended Rezoning Application properties is entitled, "Amendment and Restatement of General Golf Course Easements," dated June 20, 2002, and recorded with the Cass County Recorder of Deeds as Document No. 02013314 (the "Easement"). Even the most cursory review of the Easement grant by the Board or the Village attorney will reveal that the "representation" made by the applicant is at best misplaced. To wit, the Easement grant exclusively provides only the following rights to the applicant's related entity:

- (a) the right to repair, maintain, improve, replace and operate the underground water irrigation distribution lines presently existing in the rights-of-way for the private drives of Loch Lloyd which are legally described on Exhibit B attached hereto (the "Drives") and to cross the Drives as may be necessary, for the sole purpose of (i) irrigating the Golf Course and providing irrigation to the Association's Common Areas pursuant to the Amendment and Restatement of Lake Area Easements by and between the Association and LL-J3-PANDI, dated of even date herewith, and (ii) providing presently existing utilities for the operation of the Golf Course and related improvements;
- (b) the right to repair, maintain, improve, replace and operate the golf cart crossings at the presently existing crossing locations on the Drives for the sole purpose of golf cart, maintenance vehicle and pedestrian traffic between golf holes, including, without limitation, the right to install and maintain safety and directional signage in the Drives rights-of-way relating to such crossings. All changes, additions or replacements to the presently existing signage shall require the advance approval of the Association, which approval shall not be unreasonably withheld, delayed or conditioned by the Association;
- (c) the right to install, repair, maintain, improve and operate underground utility lines and conduits on the specific real property legally described and shown on Exhibit C attached hereto (the "Holmes Frontage") for the sole purpose of providing utilities for the Golf Course; and

- (d) an ingress and egress access easement over, across and through such portions of the Drives (and only such portions of the Drives), and over, across and through the "access road" identified on Exhibit D, as are necessary for LL-J3-PANDI and all other owners, operators and tenants of the Golf Course from time to time, and its employees, agents, members, guests, visitors, invitees and other authorized users (collectively, the "Golf Course Invitees") to (i) access the parking lot and maintenance building tract described on Exhibit D attached hereto and the lake pumphouse tract legally described on Exhibit E attached hereto, (ii) move between golf holes on the Golf Course, and (iii) access the clubhouse, swimming pool, tennis courts and parking lot located on the Golf Course. Golf Course maintenance equipment shall use the Drives only to the extent there is no alternative substantially equivalent route within the boundaries of the Golf Course.

None of the rights set forth in the Easement grant remotely approach a vested right in favor of the applicant respecting development or construction of the Amended Rezoning Application's properties. To the extent the applicant attempts to rely upon a former easement grant, such attempted reliance is similarly foreclosed by Easement ¶ 16 which provides:

The Association and LL-J3-PANDI agree and acknowledge that this Restatement is intended to be a comprehensive restatement of the Original Easement, that to the extent the terms and provisions contained in this Restatement are inconsistent with, or different from, the terms and provisions contained in the Original Easement, such inconsistency or variance is intended and this Restatement shall be construed and interpreted without regard to the terms and provisions of the Original Easement. From and after the recording of this Restatement, the Original Easement is terminated and of no further force and effect.

With no established applicant ingress or egress rights, Board action on the rezoning application is premature, antagonistic to public welfare and may foment protracted litigation by and among the Board's constituents.

B. Rezoning Antagonistic to Public Welfare.

The Board's Affirmative Ordinance contains no reference to or consideration of the Amended Rezoning Application's positive impact to the public welfare, precisely because there is no positive impact associated with a rezoning application wholly antagonistic to the public welfare. Missouri courts have long held that ordinances amending zoning without

reference to the public welfare represent an arbitrary, unreasonable and ultimately invalid exercise of the Board's power under the Zoning Enabling Act.

Now in this case the section of the city involved is classified by the general zoning ordinance as a "multiple dwelling" district. The amending ordinance reclassified only the lots belonging to defendants Hohn as "commercial." There was no lawful basis for the reclassification, and the amendment was without reference to the public welfare. The record indicates the reclassification was made under influences antagonistic to said welfare and solely as a favor to defendants Hohn. The said amending ordinance is invalid not only for failure of notice and a hearing, but it is arbitrary and unreasonable under the Enabling Act, and for that reason invalid.

Wippler v. Hohn, 341 Mo. 780, 787 (Mo. 1937). See also, *Mueller v. Hoffmeister Undertaking Livery Co.*, 343 Mo. 430 (Mo. 1938).

The rezoning application benefits a single property owner, the applicant, who presumably purchased the subject property at a value commensurate with such property's current zoning. The same can be said of all property owners within the Village, i.e., their respective properties were purchased at a value commensurate with the Village's established ROS zoning. Enactment of the Affirmative Ordinance by the Board for the sole benefit of a single property owner to the detriment of all neighboring property owners would not only be antagonistic to the public welfare but would represent an arbitrary and unreasonable exercise of the Board's legislative power in that it bears no substantial relationship to the public health, safety, morals or general welfare.

IV. Conclusion.

Based on the foregoing and the full record in this matter, it is respectfully suggested that, subject to required recusals, the Board may only take one of two valid actions at the February 28, 2025, Board Meeting:

1. Refer the Amended Rezoning Application to the Commission for public notice, hearing and Commission final report; or
2. Provide statutory notice and public hearing on the Amended Rezoning Application pursuant to RSMo §§ 89.050 – 89.060.

Alternatively, and to the extent the Board, subject to required recusals, moves forward in violation of RSMo §§ 89.050 – 89.060, it is respectfully suggested that the Board:

1. Deny the rezoning application as antagonistic to the public welfare; or
2. Continue the matter pending resolution of the access issues presently precluded by the Easement.