

Append

**VILLAGE OF LOCH LLOYD
BOARD OF TRUSTEES
February 19, 2025 Meeting Minutes**

THE VILLAGE OF LOCH LLOYD BOARD OF TRUSTEES MET IN REGULAR SESSION ON FEBRUARY 19, 2025 IN THE BOARD ROOM OF THE COUNTRY CLUB LOCATED AT 16750 COUNTRY CLUB DRIVE, VILLAGE OF LOCH LLOYD, MISSOURI. MEMBERS PRESENT INCLUDED CHAIRMAN SCHULTZ, TRUSTEE/CLERK LAFATA, TRUSTEE DOUGLAS, TRUSTEE WITHEY, TRUSTEE MURPHY, CITY PLANNER SHIRES, AND VILLAGE ATTORNEY ZERR.

CALL TO ORDER

Chairman Schultz calls meeting to order at 6:00 p.m.

ROLL CALL

Chairman Schultz requested that staff provide a roll call for confirmation of attendance and quorum. Staff called the roll and confirmed full board presence. Quorum present to conduct business.

Chairman Schultz then invited those present to stand as capable and join in the pledge of allegiance.

APPROVAL OF AGENDA

Chairman Schultz then opened the floor for a motion to approve the agenda. Chairman Schultz recognized Trustee Withey who motioned to approve the agenda. Chairman Schultz then recognized Trustee Murphy who seconded the motion. There being no further discussion on the motion, Chairman Schultz called for a vote. Motion passed unanimously.

APPROVAL OF PREVIOUS MEETING MINUTES

Chairman Schultz then raised the next item on the agenda and recognized Village Attorney Zerr who reported that the minutes from the January 23, 2025 meeting of the Board of Trustees have not yet been completed for presentation and prospective approval.

EXECUTIVE SESSION

Chairman Schultz recognized Village Attorney Zerr who indicated a desire and need to executive session discussion on litigation matters as allowed pursuant to Section 610.021(1) RSMo. Chairman Schultz opened the floor for a motion to enter executive session. Chairman Schultz then recognized Trustee Murphy who motioned for the Board to enter into executive session for purposes of discussing litigation matters as authorized by Section 610.021(1) RSMo. Chairman Schultz then recognized Trustee Douglas who seconded the motion. There being no further discussion on the motion, Chairman Schultz called for a roll call vote.

Trustee Lafata	Yes
Chairman Schultz	Yes
Trustee Douglas	Yes
Trustee Withey	Yes

Trustee Murphy Yes

Motion approved by unanimous vote of the Trustees at 6:05 p.m.

RECONVENE

Chairman Schultz reconvenes the regular session of the Board of Trustees at 6:56 p.m. and opens the floor for a motion to proceed with the regular session agenda. Chairman Schultz recognized Trustee Withey who motioned for the Board to return to the regular session agenda. Chairman Schultz then recognized Trustee Douglas who seconded the motion. There being no further discussion on the motion, Chairman Schultz called for a vote. Motion passed unanimously.

Chairman Schultz then advised that the Board of Trustees would be seeking to alter the order of remaining items on the agenda so as to take up the Old Business Sechrest Rezoning matter first. Chairman Schultz noted that information was received today regarding potential litigation which will prevent a decision by the Board of Trustees while there's a determination made on the impact of the same. Objection from the applicant's representatives, Mr. Felzien and Ms. Bustamante have been lodged with the Village and were acknowledged by Chairman Schultz for the record.

Chairman Schultz recognized Mr. Felzien, counsel for the developer who confirmed that they are objecting to any continuance as they believe a vote is appropriate for tonight and no further continuances are warranted. Mr. Felzien noted that if the matter is continued to February 28, 2025, they will expect a vote to occur at that time.

Chairman Schultz then recognized Village Attorney Zerr who recommended a motion to take up the Old Business Sechrest Rezoning application out of order from the approved agenda and to continue the matter to February 28, 2025 at 4:00 p.m. Chairman Schultz opened the floor for a potential motion on the matter. Chairman Schultz recognized Trustee Murphy who made a motion to take up the Old Business Sechrest Rezoning application out of order from the approved agenda and to continue the matter to February 28, 2025 at 4:00 p.m. Chairman Schultz then recognized Trustee Lafata who seconded the motion. There being no further discussion on the motion, Chairman Schultz called for a vote. Motion passed unanimously.

NEW BUSINESS

a. Glass Property Rezoning

Chairman Schultz brought forth the next item on the agenda and recognized Village Planner Shires to provide the report on the Glass rezoning application.

- i: Presentation by Village Consultant
Mr. Shires presented the proposed rezoning of 8.75 acres from Recreational Open Space (ROS) to Residential (R-1) and vacations of two (2) easements allowing for the merging of two lots and lot line adjustments for a third lot. Mr. Shires provided a detailed report on the parameters of the rezoning and easement vacation of 16426 W. Loch Lloyd Parkway. This action will result in the eventual submission of a minor plat application by the owner. The Village Master Plan identifies the area to be rezoned as appropriate for future

residential development. This rezoning would be consistent with the Village Master Plan. Information provided by Mr. Shires regarding the surrounding parcels and conformance with the same. As a part of the plat process staff will review the stormwater management. Through the building process, they will identify the utilities and their corresponding locations.

Questions from Trustee Withey regarding identification of areas and details of the site being considered for development including adjoining roads and amenities. Mr. Shires provides analysis and response on same. Question regarding the remaining adjusted lot remnant with access onto either the eyebrow.

Question from Clerk Lafata regarding clarification from representations made at the Planning and Zoning Commission identifying GBA as reviewing the rezoning versus the plat. Mr. Shires responds by noting that the actions this evening will include the rezoning of the affected parcel and vacation of the two (2) easements. A later minor plat submission will be required, at which time GBA (the Village Engineers) will get involved to review the stormwater management plan and any utility issues.

Final comments from Mr. Shires including three (3) conditions for approval. First, the applicant must obtain approval of the minor plat and that it be recorded. Second, they must pay any outstanding fees. Finally, that the applicant/owner properly size their water service lines including any booster pump required for property water pressure for the property. Property owner is in agreement and acceptance of this condition.

Question from Trustee Withey regarding the need to coordinate the water main issue with the applicable water district. Mr. Shires responds that it will be specific to the property and would likely not necessarily require specific district approval. It will be a private water line from the main based upon distance and elevation from the current water main.

Mr. Shires concluded with a notation that the Planning and Zoning Commission recommended approval of the rezoning and easement vacations subject to two of the three conditions. The third condition was established and identified by staff and the applicant after the Planning and Zoning Commission meeting.

ii. Presentation by the Applicant

Chairman Schultz then invited the developer and/or their representative to the podium to address the Trustees. Justin Milburn introduced himself as a civil engineer from Millburn Civil Engineering located at 33135 W. 83rd Street, De Soto, KS 66018. Working with Mr. Glass, the owner of the property. Mr. Milburn acknowledged the ease in working with staff. He then acknowledged

acceptance of each of the three (3) conditions for approval of the rezoning and easement vacations.

iii. Questions from the Board

Chairman Schultz opened the floor for questions from members of the Board and then recognized Trustee Murphy who inquired as to the recommendation of approval from the Planning and Zoning Commission. Mr. Shires and Mr. Zerr each affirmed unanimous approval by the Planning and Zoning Commission.

iv. Comments from the Public (each speaker is limited to 2 minutes)

Chairman Schultz then opened the public hearing for comments at 7:08 p.m. After giving adequate pause for anyone to come forward, Chairman Schultz acknowledged that no residents sought to comment. Mr. Shires then invited comments from online participants and provided instructions on the same. After giving adequate pause for anyone to request to speak from online, Mr. Shires reported that no residents or participants from online sought to comment. Chairman Schultz then closed the public hearing at 7:10 p.m.

v. Discussion by the Board

Chairman Schultz then opened the floor for any additional discussion by the Trustees. Seeing none, Chairman Schultz closed the floor for further discussion by the Trustees.

vi. Board Action – Adoption of Ordinance for Approval.

Chairman Schultz then opened the floor to entertain a motion to address and resolve the rezoning and easement vacation application. Chairman Schultz recognized Trustee Murphy who motioned to approve Ordinance 2025-2-19-1 subject to the three (3) conditions identified in the staff report including: (i) the applicant must obtain approval of the minor plat and that it be recorded, (ii) the applicant must pay any outstanding fees, and (iii) the applicant/owner must properly size their water service lines including any booster pump required for property water pressure. Chairman Schultz then recognized Trustee Douglas who seconded the motion. There being no further discussion on the motion, Chairman Schultz called for a vote. Motion passed unanimously.

a. Argyle Property Rezoning

Chairman Schultz brought forth the next item on the agenda and recognized Village Planner Shires to provide the report on the Glass rezoning application.

i. Presentation by Village Consultant

- a. Mr. Shires presented the proposed rezoning of 4.14 acres from Recreational Open Space (ROS) to Planned Residential Development (PRD) located generally at the current terminus of Argyle Drive. Mr. Shires provided a detailed report on the parameters of the rezoning, including the corresponding approval of the preliminary development plan and the preliminary plat for development of four (4) single family lots. Should it be approved, there will be approval of construction plans by the GBA (the Village Engineer). They would then submit the final development plan and final plat to both the Planning and Zoning Commission and the Board of Trustees.

The Village Master Plan identifies the area to be rezoned as appropriate for future residential single-family development. This rezoning would be consistent with the Village Master Plan.

Information was then provided by Mr. Shires regarding the surrounding parcels and conformance with the same. If approved, Mr. Shires recommended for conditions for the same: (i) the applicant shall submit a final development plan and a final plat application and obtain approval by the Board of Trustees and the final plat must be recorded with the County prior to sale and transfer of lots and issuance of any building permits, (ii) the applicant shall obtain approval of the water and sanitary sewer plans from the Northwest Cass County Water Resource District prior to start of construction, (iii) the applicant shall submit the additional calculations for the stormwater management plan necessary to verify compliance with the requirements for the management of stormwater prior to the start of any grading or construction of public improvements, and (iv) the applicant shall pay all application fees and costs incurred by the Village for the processing and review of the application.

Condition number three (stormwater management) has already been complied with as part of the preliminary plan and preliminary plat. These materials were received following the Planning and Zoning Commission and approved by the Village Engineer.

ii. Presentation by the Applicant

- a. Brett Draper and Dale Brouk, representatives of the developer presented details on the proposed rezoning, preliminary plan and preliminary plat. Average lot size will be 0.60 acres with four (4) lots. There will be 1.03 acres of common area and 0.69 acres of right-of-way. Presentation of setbacks, including a 20-foot setback. Identified water district approval as one of the conditions prior to any approval/construction. Provision of information on maintenance of the additional tracts including Tract AA which will retain natural vegetation requiring only limited maintenance.

Tract BB will have some areas of irrigation along with curb with sod and trees. Tract CC will remain natural vegetation with no additional landscaping or maintenance from the homes association. Lights will match current streets.

Mr. Brouk provided input on each of the adjoining neighbors and his conversations with each including Mr. Robert Drake, Mr. Robert Bernstein, Ms. Jamie Kay. Acceptance by each with questions on maintenance and impact on the tracts.

Mr. Brouk provided input on the current stormwater provisions and drainage installed in 2009 with this development in mind. Only additional infrastructure required will be with the install of the streets with receptacles. GBA has reviewed and approved it after the Planning and Zoning Commission.

Questions from Trustee Withey regarding the location of the current street and extension of the same. The cul-de-sac will be pushed back further into the development. It will be a balanced site as far as fill and dirt movement. Question from Ms. Bricker regarding the Bernstein fence. Confirmation from Mr. Brouk that it is on the property line. Questions on location of streams and amenities. Stormwater sewer lids are all installed currently.

iii. Questions from the Board

Chairman Schultz opened the floor for questions from members of the Board. There were no additional questions presented or raised.

iv. Comments from the Public (each speaker is limited to 2 minutes)

Chairman Schultz then opened the public hearing for comments at 7:24 p.m. After giving adequate pause for anyone to come forward, Chairman Schultz acknowledged that no residents sought to comment. Mr. Shires then invited comments from online participants and provided instructions on the same. After giving adequate pause for anyone to request to speak from online, Mr. Shires reported that no residents or participants from online sought to comment. Chairman Schultz then closed the public hearing at 7:25 p.m.

v. Discussion by the Board

Chairman Schultz then opened the floor for any additional discussion by the Trustees. Seeing none, Chairman Schultz closed the floor for further discussion by the Trustees.

vi. Board Action – Adoption of Ordinance for Approval.

Chairman Schultz then opened the floor to entertain a motion to address and resolve the rezoning, the preliminary plan, and the preliminary plat application. Chairman Schultz recognized Trustee Murphy who motioned to approve Ordinance 2025-2-19-2 subject to the four (4) conditions identified in the staff report including: (i) the applicant shall submit a final development plan and a final plat application and obtain approval by the Board of Trustees and the final plat must be recorded with the County prior to sale and transfer of lots and issuance of any building permits, (ii) the applicant shall obtain approval of the water and sanitary sewer plans from the Northwest Cass County Water Resource District prior to start of construction, (iii) the applicant shall submit the additional calculations for the stormwater management plan necessary to verify compliance with the requirements for the management of stormwater prior to the start of any grading or construction of public improvements, and (iv) the applicant shall pay all application fees and costs incurred by the Village for the processing and review of the application. Chairman Schultz then recognized Trustee Douglas who seconded the motion. There being no further discussion on the motion, Chairman Schultz called for a vote. Motion passed unanimously.

OLD BUSINESS

Sechrest Rezoning. See **RECONVENE** section above for details. Matter taken out of order and continued to February 28, 2025 at 4:00 p.m.

ADJOURNMENT

With no further business on the approved agenda, or coming before the Board, Chairman Schultz opened the floor to entertain a motion to adjourn. Chairman Schultz then recognized Trustee Murphy who motioned to adjourn the meeting. Chairman Schultz then recognized Trustee Withey who seconded the motion. There being no further discussion on the motion, Chairman Schultz called for a vote. Motion passed unanimously. Meeting adjourned at 7:26 p.m.

Respectfully submitted,


Jonathan S. Zerr
Village Attorney