

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.

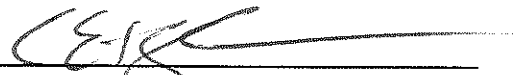
2. The applicant has not verified to the satisfaction of the Planning and Zoning Commission that there is adequate sanitary sewer and water service capacity in which to serve the proposed development and that concerns related to the management of stormwater runoff have been addressed.
3. The requested 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.