

NOTICE OF OPEN MEETING

Public Notice is hereby given that the Planning & Zoning Commission of the City of Excelsior Springs Regular Meeting **at 6:00 PM, April 28, 2025** to consider and act upon the matters on the following agenda and such other matters as may be presented at the meeting and determined to be appropriate for discussion at the time.

The tentative agenda of this meeting is as follows.

Planning & Zoning Commission City of Excelsior Springs

A G E N D A



Planning & Zoning Commission Meeting
6:00 PM
Monday, April 28, 2025
City Council Chambers
201 E. Broadway
Excelsior Springs, MO
Join Meeting via Zoom.US
Meeting ID: 831 3363 5337
Passcode: 156892

-
1. CALL TO ORDER
 2. ROLL CALL
 3. APPROVAL OF MEETING SUMMARY MARCH 31, 2025
 - A. Summary for March 31, 2025 meeting
 4. APPROVAL OF MEETING SUMMARY APRIL 14, 2025
 - A. Summary for April 14, 2025 meeting
 5. COMMENTS OF VISITORS
 6. PP-25-001/FP-25-001 - AN APPLICATION BY EARL PAUL EASLEY
CONSIDERATION OF PRELIMINARY AND FINAL PLAT FOR PROPERTY
LOCATED AT THE NORTHWEST CORNER OF ORRICK ROAD AND NE 124TH
STREET.
 - A. PP-25-001/FP-25-001
 7. SUP-25-002 - APPLICATION BY PAUL R. BURTON FOR A SPECIAL USE
PERMIT FOR THE OPERATION OF A SHORT-TERM RENTAL IN THE A
AGRICULTURE DISTRICT AT 2206 WORNALL ROAD. (PUBLIC HEARING)
 - A. SUP-25-002

8. ZTA-25-002 APPLICATION FOR A ZONING TEXT AMENDMENT TO SECTION 404.015 REASONABLE ACCOMMODATIONS FROM LAND USE REGULATIONS.

A. ZTA-25-002

9. ELECTION OF CHAIRMAN

10. STAFF COMMENTS

11. COMMISSION COMMENTS

12. ADJOURN

Representatives of the news media may obtain copies of this notice by contacting the City Manager's office, 201 East Broadway. Phone (816) 630-0752.

If any accommodations are required in order to attend this meeting (i.e. qualified interpreter, large print, reader, hearing assistance), please notify the City Manager's office no later than 48 hours prior to the beginning of the meeting.

Date and Time of Posting: DATE AND TIME: April 25, 2025 at 11:30 am

PLANNING AND ZONING COMMISSION

MEETING SUMMARY

March 31, 2025

1. CALL TO ORDER

Chairman Simmons called the meeting to order at 6:00 p.m.

2. ROLL CALL

PRESENT: Jake Simmons, Creyton Vincent, Julia Goldstein, Dustin Borchert, Don Kelley, and Christy Marker.

STAFF PRESENT: Doug Hermes, Melinda Mehaffy, Mallory Brown, Mayor Spohn, Reggie St. John, and Lisa Morgan.

VISITORS: Alexia and Berry Thompson, Vivion Gritton, and Kelly Anderson.

3. APPROVAL OF MEETING SUMMARY- February 24, 2025

Commissioner Marker made a motion to approve the February 24, 2025, meeting summary.

Commissioner Goldstein seconded. Motion carried.

Vote: Motion passed 6-0-0

Yes: Commissioners: Simmons, Vincent, Kelley, Borchert, Goldstein, and Marker.

No: None

Abstain: None

4. COMMENTS OF VISITORS: There were none.

5. ZTA-24-002 -Application by the city of Excelsior Springs to amend Chapter 400 “R-4” Medium Density Residential District in the Zoning Regulations of the Excelsior Springs City Code. (Public Hearing)

Chairman Simmons asked for the staff report.

Mr. Hermes presented the information in the staff report.

Chairman Simmons asked the commission if they had any technical questions for City staff.

Ms. Brown asked to speak to the commission. In the limited time she has been working in the City of Excelsior Springs, she has seen a definite need for additional housing options, including affordable housing. Allowing two-family dwellings in the R-4 District through a Planned Development will create greater flexibility in terms of density and housing options. The setback requirements in a traditional duplex development pose a challenge to meeting the requirements when working towards a more dense and compact development. Planned Districts allow for greater flexibility in development.

Chairman Simmons asked if there were any more questions for City staff. Hearing none, Chairman Simmons opened the public hearing at 6:15 pm

Chairman Simmons asked if there were any members of the public wanting to comment on the application.

Kelly Anderson, 801 Dunbar Avenue, Excelsior Springs, MO. States that they have been working with the city since 2022 on the Eden Village project. They have been searching for a property that can be purchased with R-4

zoning. They have put a contract on a property contingent upon being able to build on it. They are applying for a grant that is also contingent on being able to build. Ms. Anderson stated that the concern is that if the R-4 zoning changes are made, they will lose the permitted right to build. Ms. Anderson requested that this case not be approved because it would result in the loss of their right to build.

Commissioner Vincent asked Ms. Anderson for clarification that she has been trying to have the plans approved for three (3) years. Ms. Anderson said yes. Commissioner Vincent asked in order for her plans to be approved the Planning and Zoning Commission as well as the City Council would both have to say yes. Ms. Anderson said that was correct under the planned zone district.

Commissioner Goldstein asked if the reason for the change to the “R-4” zoning is due to some errors in it. Ms. Brown said that was correct. Mr. Hermes also stated that we are cleaning up the error.

Commissioner Goldstein asked Ms. Anderson why she is interested in this zoning case. She said her project would lose its permitted right to build. And then they would not be able to build because it then goes through the approval process, and she is not sure it will be approved.

Chairman Simmons said that as long as the plans meet the building codes/requirements, he sees no reason why it would not be approved.

Chairman Simmons closed the public hearing at 6:29 pm.

Chairman Simmons asked for Commission discussion on the application. Hearing no further comments from the Commission, he called for a motion.

Commissioner Borchert made the motion to approve ZTA-24-002.

Commissioner Goldstein seconded the motion.

Motion Carried.

Vote: Motion passed 5-1-0

Yes: Commissioners Simmons, Goldstein, Kelley, Borchert, and Marker.

No: Commissioner: Vincent

Abstain: None

6. STAFF COMMENTS:

Ms. Brown: We will be holding a special meeting on April 14th at 6:00 pm for the Planning and Zoning Commission.

The Commission should have received an invitation to the Comprehensive Plan Charrette, which can be attended in person or via Zoom.

Ms. Mehaffey: All the commissioners should have received an invitation to the volunteer dinner being held April 24 at 6:00 pm at the Hall of Waters building

7. COMMENTS OF THE COMMISSIONERS

Chairman Simmons thanked city staff for all the work that you do.

8. ADJOURN The meeting was adjourned at 6:32 p.m.

PLANNING AND ZONING COMMISSION

MEETING SUMMARY

April 14, 2025

1. CALL TO ORDER

Commissioner Borchert called the meeting to order at 6:01 p.m.

2. ROLL CALL

PRESENT: Julia Goldstein, Dustin Borchert, Don Kelley, and Christy Marker, Jason Van Till (6:09) and Jake Simmons (6:11).

STAFF PRESENT: Mallory Brown, Mayor Spohn and Lisa Morgan.

VISITORS: None.

3. ZTA-25-002 -Application For a zoning text amendment to section 404.015 reasonable accommodations from land use regulations.

Commissioner Borchert asked for the staff report.

Ms. Brown presented the information in the staff report.

Commissioner Borchert asked the commission if they had any technical questions for City staff.

Commissioner Borchert asked if the application would go straight to the City Council instead of going to the Commission.

Ms. Brown said that is correct; applications for Reasonable Accommodations will be reviewed and accepted by City staff and then considered by the City Council, who will make the determination. This amendment is if someone is requesting a reasonable accommodation. So, it's similar to a Variance that the Board of Zoning Adjustments considers. The reason this is coming to you is because this is a Zoning Text Amendment to add a process for an applicant to seek reasonable accommodations Land Use regulations. The Planning and Zoning Commission is charged with reviewing, holding a public hearing, and ultimately providing a recommendation to the City Council for all Zoning Text Amendments.

Ms. Marker, asked if there would or could be conditions upon approval, like length of time or if the property is sold what happens to the granted reasonable accommodations. Ms. Brown said that this could be similar to a Special Use Permit and time limits and conditions about what happens if the property is sold or transferred may be conditions of approval if the City Council chooses.

Ms. Marker said on the application it says to justify your disability and asked what would be required as proof. Ms. Brown stated that there is nothing specifically required. It is up to the applicant to submit what they feel justifies their disability. Ms. Marker asked if something from a doctor would be required. Ms. Brown stated not necessarily because disabilities are so broad. Sometimes disabilities are unseen.

Ms. Marker asked if the applicant's disability information would be on public record. Ms. Brown said it would be due to the meeting it was presented at is a matter of public record. Ms. Marker said I am just trying to think of every potential scenario to avoid possible litigation and embarrassment to the applicant.

Commissioner Van Till asked if these applications would only go before City Council? Ms. Brown said that is correct. Commissioner Van Till asked if there was something specific that brought this up? Ms. Brown nothing in particular or specific.

Ms. Marker asked if we know for sure if the disability information on the application would be public knowledge. Ms. Brown believes that the application would most definitely be open record. However, she is not sure about the supporting documents. She explained that she would need to consult legal counsel to fully answer the questions.

Chairman Simmons asked if there were any members of the public wanting to comment on the application.

Chairman Simmons asked if the Commissioners had any further questions. Hearing no further comments from the Commission, he called for a motion.

Commissioner Marker made the motion to continue ZTA-25-002 to the April 28, 2025 when more legal information can be obtained about what would be public record.

Commissioner Van Till seconded the motion.

Motion Carried to continue the case.

Vote: Motion to Continue 6-0-0

Yes: Commissioners Simmons, Goldstein, Kelley, Borchert, Marker & Van Till.

No: Commissioner: None

Abstain: None

4. STAFF COMMENTS:

Ms. Brown, we will have a meeting on the 28th of April; there are 3 agenda items.

There will be a charrette at the Methodist church from 5:00 to 7:00 on April 16th.

The volunteer dinner will be on April 24, 2025, and you all should have received an invitation.

5. COMMENTS OF THE COMMISSIONERS

Chairman Simmons and Commissioner Van Till apologized for being late.

6. ADJOURN The meeting was adjourned at 6:50 p.m.