

THE **PLANNING AND ZONING COMMISSION** OF THE CITY OF RAYMORE, MISSOURI, MET IN REGULAR SESSION **TUESDAY, AUGUST 20, 2019**, IN THE COUNCIL CHAMBERS OF CITY HALL, 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING COMMISSION MEMBERS PRESENT: CHAIRMAN WILLIAM FAULKNER, KELLY FIZER, MELODIE ARMSTRONG, ERIC BOWIE, CALVIN ACKLIN AND MAYOR KRIS TURNBOW. ABSENT WERE JIM PETERMANN, MARIO URQUILLA, AND MATTHEW WIGGINS. ALSO PRESENT WERE DEVELOPMENT SERVICES DIRECTOR JIM CADORET, ASSOCIATE PLANNER DAVID GRESS, ASSISTANT PUBLIC WORKS DIRECTOR GREG ROKOS, AND CITY ATTORNEY JONATHAN ZERR.

1. **Call to Order** – Chairman Faulkner called the meeting to order at 7:00 p.m.
2. **Pledge of Allegiance**
3. **Roll Call** – Roll was taken and Chairman Faulkner declared a quorum present to conduct business.
4. **Personal Appearances** – None
5. **Consent Agenda**

a. Approval of the minutes of the July 2, 2019 meeting

Motion by Mayor Turnbow, Seconded by Commissioner Bowie, to approve the consent agenda, including the July 2, 2019 minutes.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Wiggins	Absent
Commissioner Armstrong	Aye
Commissioner Bowie	Aye
Commissioner Acklin	Abstain
Commissioner Fizer	Aye
Commissioner Petermann	Absent
Commissioner Urquilla	Absent
Mayor Turnbow	Aye

Motion passed 5-0-1.

6. **Unfinished Business - None**
7. **New Business -**

A. Election of Secretary

Chairman Faulkner asked if it was legitimate to nominate a Commission member that was not present.

City Attorney Jonathan Zerr asked if the Commissioner had been spoken with about the nomination.

Chairman Faulkner stated yes they had spoken about it and he reminded the Commission members the Secretary needed to be available during the day to sign documents on behalf of the Commission.

Chairman Faulkner nominated Commissioner Petermann to be Secretary. Nomination seconded by Mayor Turnbow.

Vote on Nomination:

Chairman Faulkner	Aye
Commissioner Wiggins	Absent
Commissioner Armstrong	Aye
Commissioner Bowie	Aye
Commissioner Acklin	Aye
Commissioner Fizer	Aye
Commissioner Petermann	Absent
Commissioner Urquilla	Absent
Mayor Turnbow	Aye

Motion passed 6-0-0.

B. Case #19016 - Remington Estates Right-of-Way Vacation (public hearing)

Associate Planner David Gress presented the staff report. The request is to vacate two remnant pieces of right-of-way that exist on the north and south side of Hampton Drive, just west of Laurus Drive in the Remington Subdivision.

Mr. Gress entered into the record the mailed notices to the adjacent property owners; the notice of publication in The Journal; the Unified Development Code; the application; the Growth Management Plan; and the Staff Report.

Mr. Gress indicated the two remnant pieces of right-of-way were platted as part of the Remington Subdivision and were intended to be part of a future north/south roadway. When the Creekmoor Preliminary Plan was approved, Foxridge Drive was proposed as the north/south collector road west of the Remington Subdivision and Hampton Drive was then platted to connect into Creekmoor. The right-of-way dedicated as part of the Remington Subdivision was no longer needed.

Mr. Gress indicated he spoke with the two adjoining landowners in Remington and they are both willing to accept the vacated land and assume maintenance responsibility.

Mr. Gress indicated staff recommends the Commission accept the staff proposed findings of fact and forward the request to the City Council with a recommendation for approval.

Chairman Faulkner opened the public hearing at 7:09 p.m.

Samuel Jackson, 614 Laurus Drive, spoke in support of the vacation of right-of-way. Mr. Jackson indicated he is one of the adjoining landowners and will accept maintenance responsibility of the right-of-way.

Chairman Faulkner closed the public hearing at 7:11 p.m.

Chairman Faulkner asked Mr. Gress about the notices sent to adjoining property owners and if the notice met the requirement of notifying all property owners within 185 feet of the subject property.

Mr. Gress clarified that for right-of-way vacations the requirement for notice is only to adjoining property owners.

Motion by Commissioner Fizer, Seconded by Commissioner Armstrong, to accept the staff proposed findings of fact and recommend approval of case #19016, Remington Estates Right-of-Way Vacation.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Wiggins	Absent
Commissioner Armstrong	Aye
Commissioner Bowie	Aye
Commissioner Acklin	Aye
Commissioner Fizer	Aye
Commissioner Petermann	Absent
Commissioner Urquilla	Absent
Mayor Turnbow	Aye

Motion passed 6-0-0.

C. Case #19019 - Venue of The Good Ranch PUD Rezoning and Preliminary Plan (public hearing)

Bill Moore, attorney with Rouse Frets White Goss Gentile Rhodes, P.C., representing the applicant Jake Loveless with Griffin Riley, presented the request to the Commission. Mr. Moore also introduced Jeremy Powell, representing the project engineer team.

Mr. Moore provided a slide presentation with an overview of the project. He indicated this is a luxury townhome development that incorporates modern, contemporary architecture. The units have 2 or 3 bedrooms, 1 or 2 car garages, and about half of the units will have walk-out basements. There is off-street parking provided and amenities such as a pool with a clubhouse, playground, pickleball play courts, dog park, and three stormwater detention facilities.

Mr. Moore indicated there is a demand in the Raymore community for the type of housing being proposed. Occupancy rate in Raymore is 96% and there is clearly not enough supply for the demand.

Mr. Moore described the Good Ranch Master Plan and the Memorandum of Understanding (MOU) that was approved in 1994. He indicated the plan designated the subject property for attached single-family units, which is what is being approved.

Mr. Moore provided an overview of the preliminary plan and indicated there are 51 buildings proposed with a total of 204 units.

Mr. Moore provided an exhibit of property value research that had been completed by the applicant. He stated that property values near multi-family developments have increased by 9 to 11% between 2015 and 2018.

Associate Planner David Gress provided an overview of the staff report. He indicated the request is to reclassify the zoning of the property from A (Agricultural District) to PUD (Planned Unit Development District), including the preliminary plan for the project.

Mr. Gress entered into the record the mailed notices to adjoining property owners; notice of publication in The Journal; Unified Development Code; application; Growth Management Plan; Good Ranch Land Use Plan; staff report; proposed development plan; comments from adjoining property owners; Good Neighbor Informational meeting summary; and the draft MOU. Mr. Gress commented that additional petition forms that were received after the packet was mailed have been placed at Commission member desks for consideration.

Mr. Gress provided a detailed overview of the staff comments included in the staff report.

Mr. Gress indicated that staff has presented proposed Findings of Fact for the Commission to consider.

Mr. Gress provided a detailed explanation of the staff recommendation and indicated staff recommends the Commission forward the request to the City Council with a recommendation for approval.

Mayor Turnbow asked Mr. Gress about the reference in the protest petition to the Original Town Neighborhood Plan.

Mr. Gress indicated the Original Town Plan is a neighborhood plan that applies only to that neighborhood, the original plat of Raymore. He indicated the plan that applies to this property is the Good Ranch Master Plan.

Mayor Turnbow commented about on-street parking and whether the applicant is amenable to prohibiting on-street parking. His concern with higher density developments is that emergency vehicles sometimes have difficulty getting through the neighborhood.

Bill Moore commented that the proposal does include a lot of off-street parking and the applicant would want to look further into the concern and work with staff to come up with a plan.

Jake Loveless, representing applicant Griffin Riley, indicated 47 off-street parking spaces have been added but if additional spaces are needed, or restrictions on where on-street parking can occur need to be addressed, he would be willing to look at options.

City Attorney Jonathan Zerr commented that the streets are intended to be public and the City could place restrictions on parking if necessary.

Chairman Faulkner opened the public hearing at 7:59 p.m.

Craig Sheumaker, 702 S. Fox Ridge Drive, indicated that Sky Vue Drive is 37 feet wide and allows plenty of space for on-street parking. In the proposed development, there is not enough space for on-street parking. Mr. Sheumaker expressed concerns on the Dean Avenue units facade and location of outside furniture, grills, etc. and on the architectural design of the buildings. Mr. Sheumaker commented that R-2 zoning would be more appropriate for the property and expressed concerns for the traffic from the proposed access road onto Fox Ridge Drive.

Sheneda Mirador, 1008 Old Mill Road, expressed concerns on the impact of the development on the values of the homes in Stonegate. She also expressed concerns on rising crime rate when Eagle Glen apartments were constructed.

Daniel Tuttle, 1522 Wildwood Circle, expressed concerns on the impact of the development on property values.

Brian Sarsfield, 908 Old Mill Road, expressed concerns on property values and that the 1994 plan and what it shows is not the direction neighbors want development to go. He expressed concern on the impact of the development on the school system.

Keith Nutt, 1517 Haystack Road, indicated that 99% of the people in the Council Chambers are over 30. He stated Raymore is a bedroom community and nobody is asking for this development. He expressed concerns on the creek that is flooding and stated there has been an increase in crime near the new townhome units near Creekmoor.

Adam Nerham, 421 Meadowlark Drive, stated Raymore is defined by single family homes. He stated he does not want to see any more apartments or townhomes in Raymore.

Kim Hanner, 920 Old Mill Road, expressed concerns on runoff from the proposed development and the changes that she has seen regarding the floodplain limits in Raymore and the impact on her property. Ms. Hanner also expressed concern on impacts the development will have on infrastructure and the schools.

Joe Sarsfield, 609 Lakeview Drive, indicated this is a country area and we should focus on maximums, not minimums. He supports less density.

Steve Morrison, 822 Blue Gramma Court, indicated he is against rental properties and is concerned on what happens if the property is sold. He indicated the stormwater runoff is awful.

Kris Palmer, 1719 Fox Ridge Drive, indicated she was told by City staff that the subject property was to be a 55+ single-family community. She indicated the proposed development will affect her property value and felt the buffer between her home and the subject property was not adequate.

Steve Copenhaver, 712 S. Fox Ridge Drive, stated renters utilize more services than owner-occupied units. He expressed concerns on the impact on the school. He wants this area left as single family.

Linda Benson, 1043 S. Sunset Lane, indicated concern on the lack of an acceptable buffer between the property and homes in Stonegate and on stormwater runoff.

Katie Norton, 1530 Horseshoe Drive, stated Raymore is a safe community and she wants to keep it that way. She expressed concern on the impacts on the school system.

Branden Richeson, 212 N. Darrowby Drive, was concerned on where the parking would be for the units that face Dean Avenue.

Martha Hurst, 708 Bluestem Court, expressed concerns with the units being rentals and security issues.

Kelly Gebauer, 1006 Old Mill Road, expressed concerns that the City does not maintain Good Parkway.

Sandy Files, 1821 Prairie Grass Drive, wanted to know how this proposed development is going to benefit Raymore.

Chelsea Hunziker, 1002 Old Mill Road, commented that she found it hard to believe millennials will come to Raymore. She asked what would happen if the units cannot be rented as indicated. She expressed concern on noise and traffic from the units.

Lyle Gibson, 1525 Wildwood Circle, indicated he liked seeing the country around his home and asked the Commission to listen to the voice of the people.

Janice Thomas, 722 Moss Creek Drive, expressed concern with adding 800+ cars to 71 Highway.

Kathy Eaton, 2214 Alexander Creek Drive, expressed concern on the impacts of the development on home values.

Kay Hudson, 1923 Prairie Grass Drive, expressed her opposition to the development.

Shari Keilig, 1812 Buffalo Grass Drive, expressed concerns on crime issues that have appeared near the townhomes in Remington would occur here as well.

Chairman Faulkner closed the public hearing at 9:01 p.m.

Jake Loveless provided responses to several of the questions and concerns that were raised by residents:

- the units facing forward on Dean Avenue will have garage access and parking in the rear of the unit
- staff requested the units along Dean Avenue face Dean Avenue
- there will be common amenities for everyone in the development
- there will be on-site management and full-time maintenance
- the entire development will be under one common ownership group
- there will be trash enclosures throughout the site instead of each unit have 2 trash cans

Bill Moore indicated that is important to remember that this type of development was contemplated in 1994. The landowner at the time annexed 1,700 acres into the City, and part of that negotiation process was to develop an MOU that included significant exactions for school land and park land. The Master Plan that was approved is of record and is an agreement on how the land is to be utilized in the future.

Mr. Moore commented the development is good for the City of Raymore. The development provides another opportunity for housing for the City. The City needs diversity of housing and this proposal helps meet that need. He stated the school district is familiar with the master plans of the City and they plan for future growth in the City.

David Gress showed the Commission members the floodplain map for the Good Parkway area to assist with the discussion on a response to the flooding concerns.

Assistant Public Works Director Greg Rokos commented on the floodplain map and the purpose of the proposed stormwater detention facilities. He indicated the flooding concerns mentioned are happening within the designated floodplain. He commented that The Meadows, Meadowood, Wood Creek, and Stonegate do not provide any stormwater detention areas. The design of those subdivisions was to use the floodplain as the detention area. He indicated the trail is in the floodplain.

Mr. Rokos indicated the difference with the proposed development is that it does include stormwater detention facilities. The water will be released off the property at the same rate that it leaves the property today.

Jeremy Powell, project engineer, detailed the specific design of the stormwater facilities for the property.

Commissioner Fizer asked about the tree line that is illustrated on the preliminary plan.

Mr. Powell stated the trees in the floodplain area will remain. There is a need to install an outlet for the detention facilities, but that is the extent of tree removal within the existing buffer area.

Commissioner Armstrong asked for confirmation that the rate of release of stormwater off the property will not change with the development.

Mr. Powell indicated that is correct, that there will be no increase in peak flow.

Mr. Gress commented that the issues on parking and dumpster placement are handled within the MOU. The future sale of buildings or units would have to be approved by the City Council through a replat.

Mr. Gress also commented that the MOU does address when the amenities proposed in development will be constructed.

Mayor Turnbow asked how the proposed development compares to other units in the City and how they were developed.

Mr. Gress indicated that the Sky Vue subdivision was developed in the 1980's and at the time there were no property maintenance codes in place. The City has been playing catch-up in the neighborhood since the code was adopted in 2007.

Mr. Gress commented that that in Sky Vue several of the buildings and units are individually owned and there are different levels of maintenance being conducted.

Mayor Turnbow commented that the public is fearful of Section 8 or income-adjusted housing. He asked the applicant to address the possibility of rent adjustments in the future should units not be able to be rented.

Jake Loveless stated the proposed development is 100% market rate. He will own all of the units and will have control over the entire development. He indicated there are a number of government approvals to convert the development to Section 8, but he has never been involved in a Section 8 development. He stated he has no intentions of converting the development to Section 8.

David Gress provided a citywide perspective on Section 8. He indicated there is nothing that prevents a property owner from accepting a Section 8 voucher.

Commissioner Acklin asked about the traffic issues on 58 Highway.

Greg Rokos stated most residents that would live in the development would utilize the North Cass exit for Interstate 49 for going to and from work.

Mayor Turnbow asked for clarification on 800 cars at the development that was stated by a resident. He thought for 204 units there would be about 400 cars and he did not see a problem with traffic from the development.

Mr. Rokos commented that the number of access points for the development are sufficient to handle the traffic to and from the development.

Commissioner Bowie asked the applicant if they had a history of development besides the new development in Lee's Summit.

Jake Loveless said Griffin Riley branched off Summit Homes in 2017 and this development is the 4th project we have worked on.

Jonathan Zerr provided direction to the Commission to base their discussion on the findings of fact. It will take a vote of 5 commission members to make a recommendation to the City Council.

Commissioner Armstrong asked if there were any legal implications from when the property was annexed and the understanding the property would allow multi-family.

Mr. Zerr stated he could not speak as what the applicant would do. He stated the Commission is a recommending body but there were certain undertakings by both parties when the MOU was approved.

Chairman Faulkner stated that he believes the Commission is bound by the City Code and the minimum requirements of the Code. He asked the City Attorney if he agreed that the Unified Development Code provided additional requirements for PUD.

Mr. Zerr agreed.

Chairman Faulkner commented that he drove around the area and noticed there was considerable distance between existing homes and the proposed development, including a significant buffer, and asked the staff what teeth the City or the Commission has to ensure trees would not be removed.

Mr. Gress indicated the City Code does allow the Commission to identify areas of tree preservation and the MOU includes language that the floodplain area cannot be disturbed by the developer. There is a stream assessment in place that dictates actions that can occur within the floodplain area.

Mr. Gress commented that the closest detached single family home to any of the proposed units is about 250 feet, and in some cases as much as 800 feet of natural buffer separation.

Chairman Faulkner commented that he is not a proponent of placing higher density development in the middle of single family development where access in and out could be difficult. He stated this development has easy access to Dean and Fox Ridge Drive and didn't think any traffic, other than to and from the school, would go through the single-family areas. He thought this property was close to the interchange and commercial areas and thought this was a good location for the development being requested.

Commissioner Fizer commented that she was pleased to see the number of residents who have attended. She stated that there is no current place in Raymore for millennials to move to. She indicated that she lives close to Manor Homes apartments and has not seen any particular issues. She stated the apartments are well maintained and she hasn't seen a problem there.

Commissioner Fizer stated that she likes the fact that the proposed units do not look like everything else in town. She likes the diversity in the look of the townhomes. She commented that she was surprised by how much of a buffer existed between the site and the homes in Stonegate. She stated there is no such buffer in Eagle Glen between the apartments and the homes.

Commissioner Bowies indicated that the units do not look like luxury to him. He stated that there are 90 people in the room and that he represents Ward 1. He referenced that the 1994 plan was approved a long time ago.

Commissioner Bowie did not think the proposed finding of facts 6, 7 and 10 were satisfactorily answered. He was concerned on what the units would look like in 15 years.

Motion by Mayor Turnbow, Seconded by Commissioner Armstrong, to accept the staff proposed findings of fact and forward case #19019, Venue of The Good Ranch PUD Rezoning and Preliminary Development Plan, to the City Council with a recommendation for approval.

Mayor Turnbow commented that he felt the residents in the room are shortchanging what the developer is proposing. He thought this development is a good fit and provides a diverse opportunity for others to move in. He did not believe this development will negatively affect property values. He stated he represents the entire community, including the business community.

Chairman Faulkner thanked everyone for the input. He stated when looking at the property he didn't see any big concerns with the development. His concern is that he has not seen this many people against a project.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Wiggins	Absent
Commissioner Armstrong	Aye
Commissioner Bowie	Nay
Commissioner Acklin	Aye

Commissioner Fizer	Aye
Commissioner Petermann	Absent
Commissioner Urquilla	Absent
Mayor Turnbow	Aye

Motion passed 5-1-0.

8. City Council Report

Mr. Zerr provided a review of the July 8, 2019, July 22, 2019 and August 12, 2019 Council meetings.

9. Staff Report

Mr. Gress provided an overview of the upcoming cases to be considered by the Commission. Mr. Rokos provided a report on Public Works activity.

10. Public Comment

Terry Woods, 309 N. Park Drive, expressed that the Commission needs to be realistic on how many multi-family units the community needs.

Catiara Campbell, 1100 Country Lane, expressed concerns on school capacity. She stated the needs of the community are for single family residences.

Richard Krahl, 715 Indian Grass Way, expressed concerns with tree clearing in the creek that is occurring near his home in Meadowood.

11. Commission Member Comment

Commissioner Fizer reminded the Commission members of the upcoming Summer Scene event on Saturday at Centerview.

Commissioner Armstrong thanked community members, staff and the applicant for the time spent on the request.

Commissioner Acklin thanked the residents and staff for the input on the request.

Commissioner Bowie thanked the residents for appearing tonight and staff for its work. He thought it is imperative to think about the people of the Ward we represent.

Mayor Turnbow commented that he spent a lot of time considering the request and talked with a lot of people about the request. He stated he looks to the future for the community and is aware of the changing housing market and the impact that will have on the community. He thought we had a very responsible developer on the case that was considered.

Chairman Faulkner thanked the developer, the public and staff for all of the input on the application considered.

12. Adjournment

Motion by Commissioner Bowie, Seconded by Commissioner Armstrong, to adjourn the August 20, 2019 Planning and Zoning Commission meeting.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Wiggins	Absent
Commissioner Armstrong	Aye
Commissioner Bowie	Aye
Commissioner Acklin	Aye
Commissioner Fizer	Aye
Commissioner Petermann	Absent
Commissioner Urquilla	Absent
Mayor Turnbow	Aye

Motion passed 6-0-0.

The August 20, 2019 meeting adjourned at 10:25 p.m.

Respectfully submitted,

Jim Cadoret