THE RAYMORE CITY COUNCIL MET IN REGULAR SESSION MONDAY, AUGUST 26, 2019 IN COUNCIL CHAMBERS AT 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI. MEMBERS PRESENT: MAYOR TURNBOW, COUNCILMEMBERS ABDELGAWAD, BARBER, BERENDZEN, BURKE, CIRCO, HOLMAN, JACOBSON, AND TOWNSEND, CITY MANAGER JIM FEUERBORN, CITY ATTORNEY JONATHAN ZERR, AND CITY CLERK JEANIE WOERNER.

- **1. Call To Order.** Mayor Turnbow called the regular meeting to order at 7:00 p.m.
- **2. Roll Call.** City Clerk Jeanie Woerner called roll; quorum present to conduct business.
- 3. Pledge of Allegiance.
- 4. Presentations/Awards.
- 5. Personal Appearances.
- 6. Staff Reports.

Public Works Director Mike Krass provided a review of the staff report included in the Council packet and gave an update on current public works projects.

Parks and Recreation Direction Nathan Musteen provided a review of the staff report included in the Council packet, gave an update on current parks and recreation projects and thanked volunteers for assisting during recent events.

Assistant City Manager Mike Ekey provided information on the upcoming art exhibit for Council Chambers, thanked Communications Specialist Melissa Harmer and Councilmembers and volunteers for a successful Summer Scene event.

- 7. Committee Reports.
- 8. Consent Agenda.
- A. City Council Minutes, August 12, 2019
- B. Resolution 19-46, Recreation Park Pedestrian Bridge Acceptance and Final Paymen $\underline{t}$
- C. Resolution 19-48, Acceptance of Public Improvements Heritage Hills 6th Plat

**MOTION:** By Councilmember Holman, second by Councilmember Barber to approve the Consent Agenda as presented.

**DISCUSSION:** Councilmember Abdelgawad noted she received compliments on the Recreation Park pedestrian bridge improvements.

**VOTE:** Councilmember Abdelgawad Aye

Councilmember Barber Aye Councilmember Berendzen Aye

Councilmember Burke, III	Aye
Councilmember Circo	Aye
Councilmember Holman	Aye
Councilmember Jacobson	Aye
Councilmember Townsend	Aye

## 9. Unfinished Business. Second Readings.

## A. Setting the 2019 Tax Levy

BILL 3482: "AN ORDINANCE PURSUANT TO SECTION 67.110 OF THE REVISED STATUTES OF MISSOURI LEVYING GENERAL AND SPECIAL TAXES IN THE CITY OF RAYMORE, MISSOURI, FOR THE YEAR 2019."

City Clerk Jeanie Woerner conducted the second reading of Bill 3482 by title only.

**MOTION:** By Councilmember Holman, second by Councilmember Barber to approve the second reading of Bill 3482 by title only.

**DISCUSSION:** None

VOTE:	Councilmember Abdelgawad	Aye
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Councilmember Barber Aye
Councilmember Berendzen Aye
Councilmember Burke, III Aye
Councilmember Circo Aye
Councilmember Holman Aye
Councilmember Jacobson Aye
Councilmember Townsend Aye

Mayor Turnbow announced the motion carried and declared Bill 3482 as **Raymore City Ordinance 2019-058.** 

# B. Foxwood Drive Right-Turn Lane Reimbursement Agreement

BILL 3479: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE CITY MANAGER TO ENTER INTO A STREET IMPROVEMENT REIMBURSEMENT AGREEMENT WITH HY-VEE, INC. TO CONSTRUCT A RIGHT-TURN LANE FOR EASTBOUND FOXWOOD DRIVE AT ITS INTERSECTION WITH FOX RIDGE DRIVE."

City Clerk Jeanie Woerner conducted the second reading of Bill 3479 by title only.

**MOTION:** By Councilmember Holman, second by Councilmember Barber to approve the second reading of Bill 3479 by title only.

**DISCUSSION: None** 

**VOTE:** Councilmember Abdelgawad Aye

Councilmember Barber Aye
Councilmember Berendzen Aye
Councilmember Burke, III Aye
Councilmember Circo Aye
Councilmember Holman Aye
Councilmember Jacobson Aye
Councilmember Townsend Aye

Mayor Turnbow announced the motion carried and declared Bill 3479 as **Raymore City Ordinance 2019-059.** 

#### **C. Financial Disclosure Ordinance**

BILL 3478: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, ESTABLISHING A PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS FOR CERTAIN OFFICIALS AND CANDIDATES FOR ELECTIVE OFFICES."

City Clerk Jeanie Woerner conducted the second reading of Bill 3478 by title only.

**MOTION:** By Councilmember Holman, second by Councilmember Barber to approve the second reading of Bill 3478 by title only.

**DISCUSSION:** None

**VOTE:** Councilmember Abdelgawad Ave

Councilmember Barber Aye
Councilmember Berendzen Aye
Councilmember Burke, III Aye
Councilmember Circo Aye
Councilmember Holman Aye
Councilmember Jacobson Aye
Councilmember Townsend Aye

Mayor Turnbow announced the motion carried and declared Bill 3478 as **Raymore City Ordinance 2019-060.** 

#### D. Award of Contract - Bulk Road Salt

BILL 3480: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH CENTRAL SALT, LLC. FOR SUPPLY/DELIVERY OF BULK ROAD SALT."

City Clerk Jeanie Woerner conducted the second reading of Bill 3480 by title only.

**MOTION:** By Councilmember Holman, second by Councilmember Barber to approve the second reading of Bill 3480 by title only.

**DISCUSSION: None** 

**VOTE:** Councilmember Abdelgawad Aye

Councilmember Barber Aye
Councilmember Berendzen Aye
Councilmember Burke, III Aye
Councilmember Circo Aye
Councilmember Holman Aye
Councilmember Jacobson Aye
Councilmember Townsend Aye

Mayor Turnbow announced the motion carried and declared Bill 3480 as **Raymore City Ordinance 2019-061.** 

## E. Award of Contract - Owen Good Force Main Project

BILL 3481: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH REDFORD CONSTRUCTION CO. FOR THE OWEN GOOD FORCE MAIN PROJECT, CITY PROJECT NUMBER 19-326-201, IN THE AMOUNT OF \$563,180 AND AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS WITHIN ESTABLISHED BUDGET CONSTRAINTS."

City Clerk Jeanie Woerner conducted the second reading of Bill 3481 by title only.

**MOTION:** By Councilmember Holman, second by Councilmember Barber to approve the second reading of Bill 3481 by title only.

**DISCUSSION: None** 

**VOTE:** Councilmember Abdelgawad Aye

Councilmember Barber Aye
Councilmember Berendzen Aye
Councilmember Burke, III Aye
Councilmember Circo Aye
Councilmember Holman Aye
Councilmember Jacobson Aye
Councilmember Townsend Aye

Mayor Turnbow announced the motion carried and declared Bill 3481 as **Raymore City Ordinance 2019-062.** 

# 10. New Business. First Readings.

# A. <u>Vacation of Right-of-Way - Remington Subdivision</u> (public hearing)

# BILL 3483: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, VACATING PLATTED STREET RIGHT-OF-WAY IN THE REMINGTON SUBDIVISION."

City Clerk Jeanie Woerner conducted the first reading of Bill 3483 by title only.

Mayor Turnbow opened the public hearing at 7:10 p.m. and called for a staff report.

Associate Planner David Gress provided a review of the staff report included in the Council packet. Staff is requesting approval to vacate two unused portions of platted right-of-way in the Remington Subdivision off Hampton Drive, west of Laurus Drive. This public hearing was properly advertised in August 8 edition of *The Journal* newspaper and he asked for the notices sent to the adjoining property owners, notice of publication, Unified Development Code (UDC), application, Growth Management Plan (GMP) and staff report, be entered into the record. This right of way located in the Remington 4th plat subdivision was originally planned to connect Hampton Drive to undeveloped land to the west. When the Creekmoor subdivision was developed, Hampton Drive was continued to the west but the additional proposed right of way connects were not extended. The adjoining property owners in the Remington Subdivision agree to the vacation and accept the maintenance of these right-of-way sections. At their August 20 meeting, the Planning and Zoning Commission voted 6-0 to accept the findings of fact and forward this vacation to the Council with a recommendation of approval. He answered general questions from Council.

Mayor Turnbow opened the floor for public comment and hearing none, closed the public hearing at 7:15 p.m.

**MOTION:** By Councilmember Holman, second by Councilmember Barber to approve the first reading of Bill 3483 by title only.

**DISCUSSION:** None

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye

Councilmember Barber Aye
Councilmember Berendzen Aye
Councilmember Burke, III Aye
Councilmember Circo Aye
Councilmember Holman Aye
Councilmember Jacobson Aye
Councilmember Townsend Aye

# B. Rezoning - The Venue of The Good Ranch (public hearing)

BILL 3484: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING THE ZONING MAP FROM "A" AGRICULTURAL DISTRICT TO "PUD" PLANNED UNIT DEVELOPMENT DISTRICT, A 25.7 ACRE TRACT OF LAND LOCATED EAST OF DEAN AVENUE, NORTH OF NORTH CASS PARKWAY, IN RAYMORE, CASS COUNTY, MISSOURI."

City Clerk Jeanie Woerner conducted the first reading of Bill 3479 by title only.

Mayor Turnbow opened the public hearing at 7:16 p.m. and called for a staff report.

Bill Moore, attorney with Rouse Frets White Goss Gentile Rhodes, P.C., 4510 Belleview Ave., Kansas City, MO, spoke representing the property group.

Jake Loveless, Griffin Riley Property Group, 21 SE 29th Terr, Lee's Summit, MO, stated they have been researching and planning this project in Raymore for the last 3 years. He reviewed his background experience with Summit Custom Homes and the 200 homes he's been involved with in Raymore over the last 15 years. He explained that Griffin Riley Property Group is a local company with local ownership and will oversee this project. The Venue consists of 204 homes on approximately 26 acres. It includes green space, strategically placed amenities including a playground, pickleball courts, a dog park, a clubhouse and pool, on-site maintenance and management. He provided an overview of design, market trends, and rental demand in the area. He also addressed property value increase of the homes near the Manor Homes at Eagle Glen complex.

Councilmember Holman asked about the target rental range. Mr. Loveless state rent at The Venue will start at \$1,350 per month.

Bill Moore provided history on the property. The property was subject to annexation in 1994 and part of an overall master plan community covering 1,700 acres with single multi family and commercial adjacent to planned commercial and apartments to the south. He stated he and his client are comfortable with the findings of fact and staff report and they are agreeable with staff comments.

Associate Planner David Gress provided a review of the staff report included in the Council packet. Jake Loveless, representing Griffin Riley Property Group, is requesting to reclassify the zoning of 25.7 acres located on the east side of Dean Avenue, north of North Cass Parkway, from "A (Agricultural District) to "PUD" (Planned Unit Development). Rezoning to "PUD" incorporates the Preliminary Plan for The Venue of The Good Ranch, a proposed 204-unit attached single-family development which is line with The Good Ranch Community Master Plan and Land Use Plan. He reviewed surrounding zoning of this property. This public hearing was properly advertised in August 8 edition of *The Journal* newspaper and he asked for the notices sent to the adjoining property owners, notice of publication, Unified Development Code (UDC), application, Growth Management Plan (GMP), Good Ranch Community Land Use Plan, staff report, proposed development plan,

comments from adjacent property owners, Good Neighbor informational meeting summary and draft Memorandum of Understanding to be entered into the record. Additional materials (petitions) have been distributed to the Council as being received by those in opposition, after the distribution of the Council packet. He provided a detailed overview of the proposed development and housing trends. He stated there is an inconsistency in the land use component between the preliminary develop plan, GMP, and the Good Ranch Land Use Plan. Inadvertently, when the Meadows and Meadowood subdivisions were planned, the GMP was modified from medium density to reflect low density for those areas. The change from medium to low density covered the entirety of Tract 2 and the medium density and attached single family dwelling units are still identified on The Good Ranch Land Use Plan. This was the market trend in the 1994 Plan. Since this Plan is the guiding document for this neighborhood, the request is consistent with the approved Plan. This rezoning request and preliminary development plan were shared with the school and fire districts, which neither voiced concerns. He reviewed comments from a Good Neighbor meeting held on August 7, 2019 which was attended by over 90 residents. He also reviewed aspects of the Memorandum of Understanding which ensures the development proceeds as part of The Good Ranch Land Use Plan. At their August 20 meeting, the Planning and Zoning Commission voted 5-1 to accept the staff proposed findings of fact and forward to the City Council with a recommendation for approval. Raymore's current inventory of housing includes 83% detached homes and 14% attached homes. Of those homes, 81% are owner occupied and 19% are rentals. He provided statistics on national housing trends. Traffic studies support this growth and the strategic plan supports this type of housing.

Mayor Turnbow asked for information on water retention, engineering, and parking details.

Public Works Director Mike Krass stated the greenways in the area are established as floodplains and used for storm water runoff and it is by design for these areas to flood in periods of heavy rain.

Mr. Gress stated the included parking spaces consist of garages and driveways.

Councilmember Townsend asked how the two dry detention areas will handle rain events and if there will be additional landscaping or buffering near the wet detention pond at the northeast portion of the property.

Mr. Krass stated they will retain water during rain events then drain back dry through a controlled outlet.

Mr. Loveless stated they are adding a buffer along Foxridge Drive for the neighbors to the north with a water feature in the wet detention area.

Jeremy Powell, engineer with Powell CWM, 3200 State Rt. 291, Independence, MO, stated the buffer they plan to utilize is a low shrub area with trees of 30' to 40' apart. The

landscape plan will be submitted with the site plan. He stated their priority is to keep as many existing trees as possible.

Councilmember Burke noted from the MOU he counted over 200 street trees along Dean Avenue and inquired if street parking would be allowed.

Mr. Powell outlined the tree plan and stated additional off street parking is being considered.

Councilmember Holman asked what impact the petitions received have on this project.

Mr. Gress stated the City Code allows for a statutory petition that would require a supermajority vote of the Council to recommend approval or denial of any application. The petition must include signatures from 30% of the owners in the 185' around the subject property. He stated that 80% of that area is currently owned by the property owner of the subject property. The other type of petition is a general opposition petition. Staff received 4 separate petitions including 690 unique signatures.

Councilmember Barber noted the petition is incorrect as it states the rezoning is from single family to multi family. The property is currently zoned agricultural with the request to rezone to attached single family.

Mayor Turnbow opened the floor for public comment at 8:09 p.m. asking for certain decorum to be maintained and avoid reiterating comments.

The following people spoke in opposition to this rezoning citing concerns with property values, traffic, security, visual enjoyment, too dense, drainage, flooding in the floodplain, flooding on the trail, short history of the developer, claims of unfair comparisons in data and statistics, lack of input from staff on the petitions, school district crowding, unanswered questions, plan shows "R-2", increase in crime, street parking, and inadequate buffering.

Daniel Tuttle, 1522 Wildwood Circle
Terry Woods, 309 N. Park Drive
Gary Labell, 1716 Bobcat Court
Chelsea Hunziker, 1002 Old Mill Road
Keith Nutt, 1517 Haystack Road
Kris Palmer, 1719 Foxridge Drive
Linda Benson, licensed, local realtor
Terri Clark, 109 Murphy Drive
Kim Hanner, 920 Old Mill Road
Lyle Gibson, 1525 Wildwood Circle
Kelly Gebauer, 1006 Old Mill Road
Craig Sheumaker, 702 S. Fox Ridge Drive
Leslie Embrey, 417 S. Pelham Path
Charles Roberts, 934 Elder Court
Sandy Files, 1821 Prairie Grass Drive

Martha Hurst, 708 Bluestem Court Greg Olson, 1811 Prairie Grass Drive Mayor Turnbow recessed the meeting at 9:19 p.m., and re-adjourned the meeting at 9:28 p.m. The following are a continuation of speaking in opposition.

Brian Sarsfield, 908 Old Mill Road Sheri Adams, 1717 Bobcat Court Al Benz, 1930 Meadowlark Drive Ryan Supple, 1525 Horseshoe Drive Jeffrey Boyce, 2011 Prairie Grass Drive Susan McClain, 829 Trailway Drive Kay Hudson, 1923 Prairie Grass Drive Carey Labell, 1716 Bobcat Court

Jake Loveless spoke to step down zoning, target residents for the development, property values, compariables of the New Longview development in Lee's Summit with an increase in property values of 14-24% from 2015 to 2019 for the area nearest the mixed use development, and noted that there will be a minimum of 2 full time staff members on site 24 hours a day.

Jeremy Powell stated one of the requirements of the MOU is that there is to be no development within the floodplain. The eastern side of the development is set at a minimum of 6' above base flood level. The eastern boundary consists of a buffer and includes 6.35 acres set for native vegetation and stormwater detention. The nearest resident is 270 feet from the property line. He reviewed the type A buffer.

Mayor Turnbow opened the floor for further public comment and hearing none, closed the public hearing at 9:53 p.m.

Councilmember Abdelgawad asked about crime statistics in different neighborhoods and densities.

Chief of Police Zimmerman stated the highest calls for service is Walmart and stealing in commercial areas. She indicated that the Manor Homes of Eagle Glen has the lowest call for service in Raymore.

Councilmember Abdelgawad summarized that higher density does not equal higher crime.

Councilmember Circo asked for clarification on future sale of units in the development.

Mr. Gress stated this development is on 6 lots with 8 to 15 individual buildings on each lot. If sold, the property would have to be replatted with Planning and Zoning Commission and City Council approval to split each individual building or unit.

Mayor Turnbow inquired about a restriction of 10 years for the opportunity of resale.

Mr. Gress stated it's not restricted in the PUD, however it would come before the Planning and Zoning Commission and City Council for approval.

Councilmember Townsend asked what sufficient sources of facts are used for data regarding budget, statistics, findings of fact, etc.

Mr. Feuerborn stated in this case data from the United States Census Bureau, Cass County assessments on valuations, historical trends, a measurable significant decrease in single family residential housing based on permits obtained in Raymore and an increase in permits for attached single family or assessed valuation, and County GIS information.

Councilmember Burke inquired if FEMA or the Army Corp of Engineers has changed the floodplain in the last 10 years.

Mr. Krass stated FEMA revises the floodplain map, but there have not been significant changes to the floodplain boundaries in Raymore. He states that on lots that have areas in a floodplain, no structures can be constructed in the floodplain.

Councilmember Berendzen thanked all the citizens in attendance for sharing viewpoints and opinions. He asked if the Master Plan contained any ADA components.

Mr. Gress stated this project is still preliminary, although there are Federal requirements for ADA accommodations, but this is not in that stage of the development. The developer stated certain finishes will be allowed.

Councilmember Barber stated the original plan was for R-2 attached units, which are duplexes.

Mr. Gress stated the land would still have to go through rezoning to reach that zoning designation.

Councilmember Barber referenced the Skyvue area where the units were broken up and sold, noting that this plan would require Planning and Zoning Commission and City Council approval to be divided up and sold individually.

Councilmember Holman noted the developer has been taking notes and making assessments for future planning issues which will be considered moving into those phases.

Councilmember Circo stated he does not feel builders would want to build single family detached homes in this location that will abutt future commercial and industrial development.

**MOTION:** By Councilmember Holman, second by Councilmember Barber to approve the first reading of Bill 3484 by title only.

**DISCUSSION:** Councilmember Townsend stated he has read all the correspondence he has received, attended the good neighbor meeting, and viewed the Planning and Zoning

Commission meeting, and has heard concerns from residents. He stated that after analysis of all of the information, he feels this land use plan is utilizing the best practice of planning principles.

Councilmember Jacobson agreed with Councilmember Townsend's comments focused on schools, stormwater, traffic. He stated growth is difficult because of the fear of the unknown. He has verified all of these concerns, and noted he only had one actual call on this issue. He recounted all of this tenure in the past on the Council and noted that all Planning and Zoning issues are passionate and he has heard the same arguments in past developments.

Councilmember Burke noted he is a teacher at Raymore Peculiar High School. He recently attended the Joint Cities meeting with other entities, including the school district. He asked the members from the school district at the meeting about this plan and they stated they are in the process of reviewing the long range facility plan.

Councilmember Circo spoke to the financial structure and growth that is necessary to grow the City. He stated to gain this commercial growth, we need rooftops.

Councilmember Holman and Councilmember Abdelgawad stated their decisions are made on facts and rebutted statements made against renters.

VOTE:	Councilmember Abdelgawad	Aye
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Councilmember Barber Aye
Councilmember Berendzen Nay
Councilmember Burke, III Aye
Councilmember Circo Aye
Councilmember Holman Aye
Councilmember Jacobson Aye
Councilmember Townsend Aye

# C. <u>Award of Contract - Universal Design Pilot Project</u>

BILL 3485: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH PINNACLE HOMES OF KANSAS CITY FOR THE UNIVERSAL DESIGN IN RESIDENTIAL HOME CONSTRUCTION PILOT PROJECT."

City Clerk Jeanie Woerner conducted the first reading of Bill 3485 by title only.

Associate Planner David Gress provided a review of the staff report included in the Council packet. One of the goals included in the adopted Communities for All Ages Master Plan, was to encourage Raymore builders and developers to utilize Universal Design principles in new home construction. The City issued requests for proposals and one builder, Pinnacle Homes of Kansas City, submitted a response on the design and construction of a single family home that incorporates a variety of universal design principles. The City is

participating in this pilot project to showcase to the community the advantages of a universal designed home and will waive the plan review and building permit fees as an incentive for the project. He answered general questions from Council.

Councilmember Holman stated his excitement for this project.

**MOTION:** By Councilmember Holman, second by Councilmember Barber to approve the first reading of Bill 3485 by title only.

**DISCUSSION: None** 

<b>VOTE:</b> Councilmember Abdelgawad A	VOTE:	Aye
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Councilmember Barber Aye
Councilmember Berendzen Aye
Councilmember Burke, III Aye
Councilmember Circo Aye
Councilmember Holman Aye
Councilmember Jacobson Aye
Councilmember Townsend Aye

#### 11. Public Comments.

Ruth Johnston 730 Carlisle stated she serves on the task force for the Community of all Ages and applauded the council for approving the Universal Design project.

Terri Clark 109 Murphy Drive also applauded the Council for approving the Universal Design project and spoke to the necessity of this type of housing.

#### 12. Mayor/Council Communication.

Councilmember Berendzen stated he looks forward to working with the developer on The Venue project.

Councilmember Abdelgawad, Barber and Berendzen thanked staff for their work on The Venue project.

Councilmember Holman thanked Terri Clerk for her support on the Universal Design project.

Mayor Turnbow gave apologies to Mr. Gress for the negative personal comments made against his integrity by residents who spoke at the public hearing. He thanked staff for a successful Summer Scene and thanked everyone who attended the recent ribbon cutting at Hawk Ridge Park.

#### 13. Adjournment.

**MOTION:** By Councilmember Holman, second by Councilmember Barber to adjourn.

**DISCUSSION:** None

**VOTE:** Councilmember Abdelgawad Aye

Councilmember Barber Aye
Councilmember Berendzen Aye
Councilmember Burke, III Aye
Councilmember Circo Aye
Councilmember Holman Aye
Councilmember Jacobson Aye
Councilmember Townsend Aye

The regular meeting of the Raymore Council adjourned at 10:56 p.m.

Respectfully submitted,

Jeanie Woerner City Clerk