

THE **PLANNING AND ZONING COMMISSION** OF THE CITY OF RAYMORE, MISSOURI, MET IN REGULAR SESSION **TUESDAY, DECEMBER 17, 2019**, IN THE COUNCIL CHAMBERS OF CITY HALL, 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING COMMISSION MEMBERS PRESENT: CHAIRMAN WILLIAM FAULKNER, KELLY FIZER, JIM PETERMANN, MARIO URQUILLA, ERIC BOWIE, CALVIN ACKLIN, MATTHEW WIGGINS AND MAYOR KRIS TURNBOW. ALSO PRESENT WERE DEVELOPMENT SERVICES DIRECTOR JIM CADORET, 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** –

William Faulkner, 504 N. Park Drive, speaking as an adjacent landowner to the Compass Health property and speaking on case #19023. Mr. Faulkner indicated he is speaking for himself and for his wife. He indicated their property is east of the Compass Health property and they have lived there for over 25 years.

Mr. Faulkner indicated he is concerned that the proposed development may affect their property value and quality of life. He stated they did attend the Good Neighbor meeting that was held for the rezoning and the Planning and Zoning Commission meeting and were generally comfortable with the Compass Health development plans but that changed in April of 2019 when Compass Health bulldozed the trees and drained the pond that they said was to be a focal point of the development.

Regarding the site plan, Mr. Faulkner indicated the main concerns are storm water runoff, visual screening and light pollution. The Compass Health site slopes to the east and water is concentrated along the common property line. Visual screening will be difficult along the property line.

Mr. Faulkner indicated a more effective visual screen could be planted close to the east side of the retaining wall to more effectively screen the construction activity.

Mr. Faulkner asked for assurance that Compass Health would follow this plan and comply with City Code.

5. **Consent Agenda**
 - a. **Approval of the minutes of the December 3, 2019 meeting.**
 - b. **Case #19012 - Foxridge Business Park Final Plat**

Motion by Commissioner Wiggins, Seconded by Commissioner Bowie, to accept the consent agenda items A and B.

Vote on Motion:

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|------------------------|-----|
| Chairman Faulkner | Aye |
| Commissioner Wiggins | Aye |
| Commissioner Bowie | Aye |
| Commissioner Acklin | Aye |
| Commissioner Fizer | Aye |
| Commissioner Petermann | Aye |
| Commissioner Urquilla | Aye |
| Mayor Turnbow | Aye |

Motion passed 8-0-0.

6. Unfinished Business - None

7. New Business -

A. Case #19025 - Impact Fieldhouse Conditional Use Permit (public hearing)

James Ryan indicated he was representing a collaboration of individuals including Mike Chick and Brian Smith. He stated they are proposing to deliver a multi-purpose sports complex in Raymore.

Mr. Ryan provided an overview of the mission of Impact Fieldhouse, including indoor and outdoor recreation activities.

Mr. Ryan stated the request is for a conditional use permit for outdoor activities including a soccer field. There will be fencing along the east, south and west sides of the field. There will be restroom facilities added at the appropriate time and the need for an expansion of the parking lot facility.

Development Services Director Jim Cadoret provided the staff report.

Mr. Cadoret indicated the property is located at 500 S. Lincoln Avenue at the northwest corner of Sunrise Drive and Lincoln Avenue (J Highway). Mr. Cadoret indicated the zoning of the property is M-1 "Light Industrial" and has been zoned M-1 since 1984.

Mr. Cadoret stated the conditional use request is only for the outdoor recreation activities. Indoor recreational activities is a permitted use in the M-1 zoning district. Access to the site is off the existing driveway on J Highway.

Mr. Cadoret stated outdoor recreation activities do not have a specific minimum parking requirement. The parking requirement is to be determined by the Development Services Director.

Mr. Cadoret indicated the existing 3 buildings have a combined size of 20,000 square feet. The indoor uses would require 25 parking spaces. Mr. Cadoret stated staff review of the existing pavement would allow for approximately 35 spaces if angled parking is utilized.

Mr. Cadoret indicated a Type A buffer screen is required along Sunrise Drive. Fencing with an opaque surface could qualify as a Type A screen.

Mr. Cadoret indicated staff recommends that the Commission accept the staff proposed findings of fact and forward the request to the City Council with a recommendation of approval subject to 8 conditions outlined in the staff report.

Chairman Faulkner opened the public hearing at 7:20 p.m.

No public spoke.

Commissioner Faulkner closed the public hearing at 7:20 p.m.

Commissioner Wiggins asked about the requirement for adding any sidewalk near the facility.

Mr. Cadoret stated staff reviewed pedestrian access to the site and thought access to the outdoor fields would be principally from the parking lot area. He stated the City has no plans to add or require sidewalks along J Highway.

Commissioner Wiggins asked if there is a noise ordinance that would control noise generated by the use.

Mr. Cadoret stated there is a noise limit requirement in City Code that could be enforced.

Commissioner Wiggins asked about the zoning of the undeveloped land to the west.

Mr. Cadoret stated there is a small parcel to the west that is zoned M-1 and could be developed.

Commissioner Bowie asked about the potential for congestion on J Highway with only 1 access and the potential for bus traffic.

Mr. Cadoret indicated staff was aware there could be instances of increased traffic on J Highway, but staff is comfortable with the limited size of the facility that there would not be high levels of congestion on the public roadway.

Mike Chick indicated that a gate could be added along the south fence line to allow pedestrians to gain access from the sidewalk along Sunrise Drive.

Mr. Chick stated there would be no tournaments of any sort. This is a practice facility and there would be minimal amounts of spectators. There will be no seating outside for spectators.

Commissioner Acklin asked for clarification on the staff recommended condition that there be no lighting of the outdoor recreation fields.

Mr. Cadoret indicated that with the residential neighborhood so close that staff did not want the soccer or baseball field areas to be illuminated. He stated the reason outdoor recreation facilities require a conditional use permit is because the use is specific to a location, and this location is close to a residential area.

Mr. Cadoret stated that when he spoke with the neighbors one of the items they mentioned was no outdoor lighting of the fields.

Chairman Faulkner asked if a Good Neighbor meeting was held.

Mr. Cadoret indicated a Good Neighbor meeting is not required for a conditional use permit request.

Chairman Faulkner asked how the residents that contacted staff responded to the request.

Mr. Cadoret indicated the neighbors were not against the request, but wanted no illumination of the fields and wanted fencing to contain the athletic balls and trash.

Commissioner Bowie asked about management of the facility.

Brian Smith, part of the ownership group and one of the applicants, commented that the ownership group would internally manage the operation.

City Attorney Jonathan Zerr asked Mr. Smith if the applicant was agreeable to the conditions as recommended by staff.

Mr. Smith stated there is a slight concern about no lighting of the fields. Mr. Smith stated they would like to expand the time the fields could be utilized in the winter when the weather allows for outdoor activity. Fall and early spring weather could allow for nighttime practice. Mr. Smith asked if a solution of directional lighting of the fields could be worked out.

Commissioner Urquilla asked if staff would be amenable to hours of lighting as opposed to no lighting at all.

Mr. Cadoret indicated staff recommendation is no illumination and would not change our position. The Commission could alter the condition language.

Commissioner Urquilla asked about fencing in the baseball field area.

Mr. Cadoret stated there is no condition for fencing of the baseball field area.

Chairman Faulkner asked the applicant if they were comfortable going forward with the application with the 8 recommended conditions.

Mr. Smith stated the lighting is a stipulation that they need for the project. He thought they could come to a solution to light the field for safety and use purposes that would not hinder the residential area.

Chairman Faulkner asked Mr. Zerr what happens if the Commission forwards the case with a recommendation of approval subject to the 8 conditions.

Mr. Zerr stated the Council can accept the recommendation as presented by the Commission and could also amend the language of the recommended conditions.

Commissioner Wiggins asked if Council would receive the staff recommended conditions if the Commission does not accept all 8 conditions.

Mr. Cadoret indicated the Council would receive the staff recommended conditions and the Planning and Zoning Commission recommendation.

Commissioner Bowie asked if the applicant could, at a later date, request reconsideration of a condition.

Mr. Cadoret stated yes, but the request would have to go through the entire review process again.

Commissioner Urquilla asked if there was discussion with the neighbors on the timing of outdoor lighting.

Mr. Cadoret stated there was no discussion on limiting the hours lighting could be utilized. The neighbors did not want any lighting of the fields.

Commissioner Bowie commented that he did not know how much outdoor recreation activity would occur in December.

Commissioner Urquilla commented that he would be curious to what the residents response would be on the timing of lighting that could be done. He stated he knows there are times in the fall where weather would allow practice time after dark. He stated he understands the desire for lighting of the fields and desire to have no outdoor lighting but thought a compromise is possible.

Mayor Turnbow asked if the public hearing could be reopened to allow for public comments on the discussion.

Mr. Zerr stated a motion to reopen the public hearing would be necessary.

Motion by Mayor Turnbow, Seconded by Commissioner Urquilla, to reopen the public hearing.

Vote on Motion:

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

Motion passed 8-0-0.

Chairman Faulkner reopened the public hearing at 7:45 p.m.

Tom Engren, president of the Morningview Homeowners Association, stated the Board is receptive to the request. He stated there are some concerns that were brought up this evening. He stated the concerns were on hours of operation and lighting. He stated the ownership group has been positive to communicate with.

Commissioner Bowie asked about the impact of site lighting.

Mr. Engren stated many of the owners are west of the facility, and the lighting would likely only impact the homes to the south.

Commissioner Urquilla asked if 9:00 p.m. was too late.

Mr. Engren said 9:00 is acceptable.

Linda Henderson spoke on behalf of her mother who is a resident on the corner of Neptune and Sunrise. She indicated her mom has a great concern over lighting. She has a lot of windows on the north side of her house.

Brian Smith stated a time limit is an acceptable solution. We can look at type and height of light to minimize the impact of lighting.

Mr. Smith noted lighting could be utilized by a use allowed in the M-1 zoning district and not be restricted.

Commissioner Urquilla asked the applicant for their thoughts on a 9:00 p.m. cutoff for the lights.

Mr. Smith stated 9:00 p.m. is more than acceptable.

Chairman Faulkner closed the public hearing at 7:53 p.m.

Motion by Commissioner Urquilla, Seconded by Commissioner Fizer, to accept the staff proposed findings of fact and forward Case #19025, Impact Fieldhouse Outdoor Recreation Activities Conditional Use Permit, to the City Council with a recommendation of approval subject to the 8 conditions, amending condition #4 to indicate lighting is acceptable until 9:00 p.m.

Commissioner Wiggins asked staff if the code provides any guidance on whether the lighting fixtures would be affixed to the fence, or if there is a height limit for the light poles.

Mr. Cadoret indicated the Unified Development Code has standards that would apply to site lighting on property zoned M-1. Standards such as 30-foot maximum height of poles, and would allow different types of lighting fixtures. The code does not address directional lighting.

Mr. Cadoret stated the code does identify standards on lighting level at the property line.

Chairman Faulkner asked if a site plan would be required.

Mr. Cadoret stated no site plan would be required.

Commissioner Urquilla asked about parking lot lighting possibly lighting the practice field.

Mr. Cadoret stated with the staff recommended conditions the lighting could not be directed towards the field.

Mayor Turnbow stated he would like to offer an amendment to the motion. He thought the lighting issue could be handled by a Special Use Permit at a later time when the details of the request are resolved.

Motion by Mayor Turnbow, Seconded by Commissioner Bowie, to amend the Original Motion and accept the staff proposed findings of fact and forward Case #19025, Impact Fieldhouse Outdoor Recreation Activities Conditional Use Permit, to the City Council with a recommendation of approval subject to the 8 conditions as recommended by staff.

Commissioner Wiggins stated the applicant can now choose to scrap the entire project, and that is his concern.

Chairman Faulkner stated Council could still decide to change the conditions of approval.

Commissioner Wiggins thought the applicant needed to know tonight on whether lighting would be allowed or not.

Mayor Turnbow indicated there could be a lighting plan presented to City Council prior to Council consideration of the request.

Vote on Motion:

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| Chairman Faulkner | Aye |
| Commissioner Wiggins | Nay |
| Commissioner Bowie | Aye |
| Commissioner Acklin | Aye |
| Commissioner Fizer | Nay |
| Commissioner Petermann | Aye |
| Commissioner Urquilla | Nay |
| Mayor Turnbow | Aye |

Motion passed 5-3-0.

Commissioner Wiggins commented that he hopes the applicant presents a lighting plan to the City Council that would be reasonable.

Commissioner Urquilla commented that in the summer the fields could be used up to or past 9:00. Lighting would be only for those few times when fall weather allows for play after the sun sets.

Commissioner Fizer commented that she would like to see some type of lighting and there are a lot of options for sensible, adequate lighting to be utilized.

Chairman Faulkner restated the motion that is on the floor for voting.

Vote on Original Motion, as amended, to accept the staff proposed findings of fact and forward Case #19025, Impact Fieldhouse Outdoor Recreation Activities Conditional Use Permit, to the City Council with a recommendation of approval subject to the 8 conditions recommended by staff.

Vote on Motion:

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|------------------------|-----|
| Chairman Faulkner | Aye |
| Commissioner Wiggins | Aye |
| Commissioner Bowie | Aye |
| Commissioner Acklin | Aye |
| Commissioner Fizer | Aye |
| Commissioner Petermann | Aye |
| Commissioner Urquilla | Aye |
| Mayor Turnbow | Aye |

Motion passed 8-0-0.

B. Case #19014 - HyVee Fast and Fresh Site Plan

Van Miller, representing HyVee Inc., presented the site plan for the proposed HyVee Fast and Fresh store proposed for the southwest corner of Foxwood Drive and Fox Ridge Drive. Mr. Miller stated staff has recommended several conditions and HyVee is in agreement with those conditions.

Mr. Cadoret presented the staff report to the Commission. He indicated the site is 2.7199 acres and is zoned C-3, Regional Commercial.

Mr. Cadoret stated the proposed building is 6,500 square feet and will include fuel pumps and a drive-thru window. A Conditional Use Permit was approved in July 2019 for the fuel pumps.

Mr. Cadoret stated there are special conditions related to the fuel pumps and the drive thru window that have been met.

Mr. Cadoret stated all of the conditions of approval of the preliminary plat have been complied with, including the restriction for left turn movements onto Fox Ridge Drive from the site. A median within Fox Ridge Drive has been proposed to limit turn movements.

Mr. Cadoret indicated that the site plan complies with all of the requirements of the UDC. Staff recommends approval of the site plan subject to the 16 conditions recommended by staff.

Commissioner Fizer commented that the elevation sheets in the packet are mis-labeled as to facade orientation.

Commissioner Urquilla asked if the drive-thru lane was only wide enough for one vehicle.

Mr. Cadoret indicated that the drive-thru is only one lane and is limited in width by a retaining wall to the south of the lane.

Motion by Commissioner Wiggins, Seconded by Commissioner Petermann, to accept the staff proposed findings of fact and approve Case #19014, HyVee Fast and Fresh Site Plan subject to the 16 conditions recommended by staff.

Vote on Motion:

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

Motion passed 8-0-0.

C. Case #19023 - Compass Health Site Plan

Chairman Faulkner stated he is an adjacent property owner and recused himself from consideration of the case. Vice-Chairman Fizer chaired the Commission meeting during consideration of the case.

Alissa Karnes, representing Compass Health, presented the proposed site plan for the Compass Health facility, proposed for 501 N. Sunset Lane. She indicated there were changes in scope to the project due to budget restraints. The building size has been reduced to 40,000 square feet.

Ms. Karnes stated the focus of the building is on clinical operations. The meeting space/event center portion of the project has been eliminated.

Commissioner Bowie asked for details about the changes made to the scope of the project.

Ms. Karnes indicated the building has been reduced in size from 70,000 square feet to 40,000 square feet. All of the clinical space has remained, including a proposed pharmacy for clients.

Mr. Cadoret presented the staff report. He indicated Sunset Lane would be extended north to provide access to the site. The zoning of the property is PO, Professional Office District.

Mr. Cadoret stated the old farm pond will become the dry detention basin for the development. There will be additional detention areas near the east property line.

Mr. Cadoret indicated a Type "A" landscape screen is required along the northern and eastern property line. The landscape plan reflects new vegetation will be planted along the northern property line and for the southern 200 feet along the eastern property line. Existing vegetation will be used for the remainder of the Type A screen along the eastern property line.

Mr. Cadoret commented on the jurisdictional determination that was completed for the site and did identify wetland areas to be protected on the site.

Mr. Cadoret stated the proposed site plan does comply with all of the requirements of the Unified Development Code. Staff recommends approval of the site plan subject to the 19 conditions recommended by staff.

Commissioner Bowie asked about the improvements to Sunset Lane.

Mr. Cadoret stated the applicant would extend Sunset Lane to the north to the northern access drive to the Compass Health site. The width of the roadway would match the existing width of Sunset Lane near the Price Chopper site.

Commissioner Wiggins asked about the proposed stormwater detention basin.

Assistant Public Works Director Greg Rokos indicated the old farm pond has been drained and the new detention pond will be a dry detention area. There will be plantings in the detention basin for water quality.

Mr. Rokos stated the detention areas on the east side of the site will also be dry basins with water quality plantings.

Commissioner Wiggins asked about the Type A screening along the east property line that may conflict with the wetland area.

Mr. Cadoret stated if a Type A screen needed to be installed it could not impact the wetland areas. If new plantings are needed they would need to be further to the west, outside of the wetland area.

Commissioner Wiggins noted there are a lot of office spaces in the building and wanted to know if parking was adequate.

Ms. Karnes stated there would be approximately 170 employees. She stated not all employees are present at the same time on site.

Commissioner Bowie asked the Mayor if he saw any concerns with safety near the site.

Mayor Turnbow stated an early question was if any on-site residences were provided, and there are not.

Vice-Chairman Fizer asked what has changed to the existing site.

Ms. Karnes stated the pond was leaking and while we wanted it repaired there was mis-communication and the pond dam was breached. The trees that have been bulldozed were on the site closer to 58 Highway.

Mr. Cadoret stated there were a few trees removed when the dam was breached. The bulk of the tree clearing was on the site to the south.

Motion by Commissioner Urquilla, Seconded by Commissioner Bowie, to accept the staff proposed findings of fact and approve Case #19023, Compass Health Site Plan subject to the 19 conditions recommended by staff.

Vote on Motion:

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| Chairman Faulkner | Recused |
| Commissioner Wiggins | Aye |
| Commissioner Bowie | Aye |
| Commissioner Acklin | Aye |
| Commissioner Fizer | Aye |
| Commissioner Petermann | Aye |
| Commissioner Urquilla | Aye |
| Mayor Turnbow | Aye |

Motion passed 7-0-0.

8. City Council Report

Jonathan Zerr provided a review of the November 25, 2019 and December 9, 2019 Council meetings.

9. Staff Report

Mr. Cadoret provided an overview of the upcoming cases to be considered by the Commission. The Commission agreed to cancel the January 7, 2020 meeting.

Mr. Cadoret invited a Commission member to attend the National Planning Conference that is scheduled in Houston, Texas from April 25-28.

Mr. Cadoret indicated Katie Jardieu has been hired as the new City Planner and will begin on January 6, 2020.

Assistant Public Works Director Greg Rokos provided an update on the status of the installation of a culvert to allow Bristol Drive in the Brookside subdivision to be completed. He also indicated work has stopped for the winter season on the installation of public improvements in the Prairie View of the Good Ranch subdivision.

10. Public Comment

No public comment.

11. Commission Member Comment

Vice-Chairman Fizer encouraged Commissioner members to consider attending the planning conference.

12. Adjournment

Motion by Commissioner Urquilla, Seconded by Commissioner Petermann, to adjourn the December 17, 2019 Planning and Zoning Commission meeting.

Vote on Motion:

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

Motion passed 8-0-0.

The December 17, 2019 meeting adjourned at 9:06 p.m.

Respectfully submitted,

Jim Cadoret