



To: City Council
From: Planning and Zoning Commission
Date: March 9, 2020
Re: **Case #19007: Sunset Plaza PUD Rezoning/Preliminary Dev. Plan.**

GENERAL INFORMATION

**Applicant/
Property Owner:** SPC, LLC
33i
Lake Lotawana, MO 64086

Requested Action: Reclassification of zoning from “C-1” Neighborhood Commercial and “C-2” General Commercial to “PUD” Planned Unit Development

Property Location: Generally located on Conway Street, between Sunset Lane and N. Park Drive



Site Photographs:



View looking north along Sunset Land from the intersection of Sunset and W. Pine.



View looking north from W. Pine Street along the eastern property line. Existing two-family dwellings to the east.



View looking south along Conway Street toward the existing two-family dwellings along W. Pine Street.



View looking north along Conway Street at the South Metro Fire Station near the project's north property line.

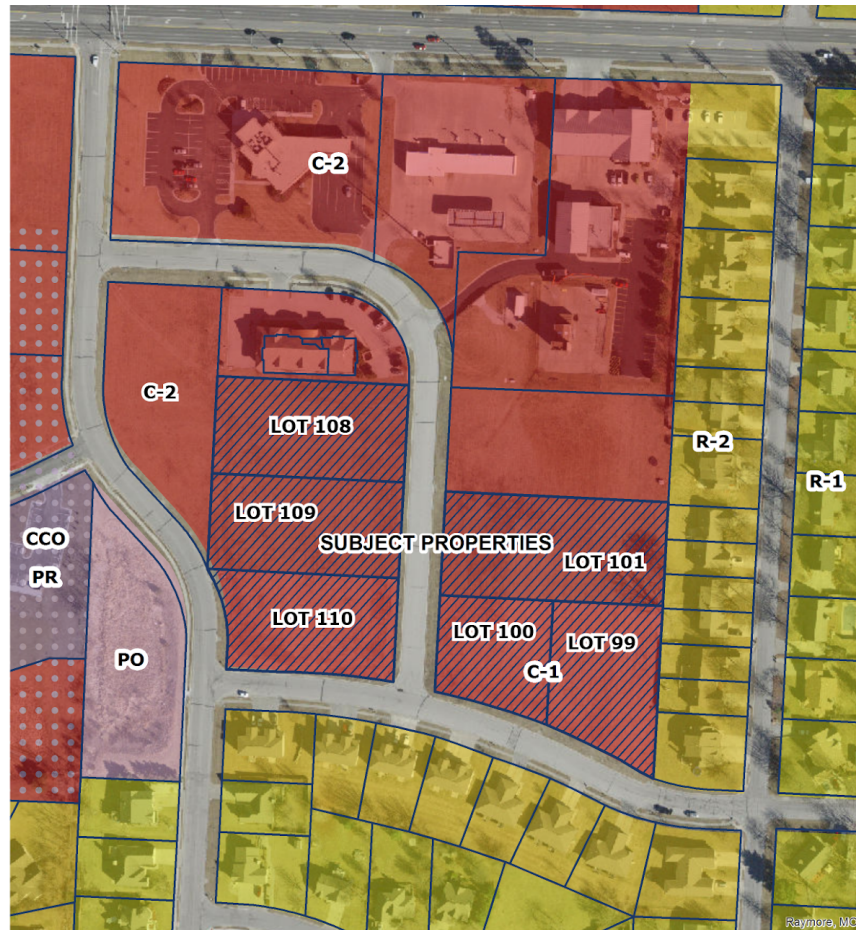


View looking west along Conway towards Sunset Lane.



View looking west toward Sunset Land from the intersection of W. Pine St. and Conway St.

Existing Zoning: "C-1" Neighborhood Commercial District
 "C-2" General Commercial District
Proposed Zoning: "PUD" Planned Unit Development



Existing Surrounding Uses:

North:	Commercial
South:	Two-Family Residential
East:	Two-Family Residential
West:	Commercial/Public Use

Growth Management Plan: The Future Land Use Plan Map contained in the Growth Management Plan identifies this property as appropriate for Commercial development.

Major Street Plan: The Major Thoroughfare Plan Map contained in the Growth Management Plan classifies N. Sunset Lane and W. Pine Street as Minor Collector Roadways. Conway Street is classified as a local road.

Legal Description: ALL OF LOTS 99, 100, 101, 108, 109, AND 110 OF TOWN CENTER 4TH PLAT, RAYMORE, CASS COUNTY, MISSOURI, TOGETHER WITH THAT PART OF LOT 106 DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHERN MOST CORNER OF LOT 106, SAID TOWN CENTER 4TH PLAT, THENCE NORTHERLY N02°57'16"E; ON THE EAST LINE OF SAID LOT 106, BEING A COMMON LOT LINE WITH SAID LOT 109 , 132.93 FEET

MEASURED, 137.93 FEET PLAT TO THE NORTHWEST CORNER OF SAID LOT 109; THENCE SOUTHWESTERLY S47°43'31"W; 81.52 FEET TO THE NORTHEASTERLY RIGHT OF WAY LINE OF SUNSET LANE, AS DEDICATED IN SAID TOWN CENTER 4TH PLAT; THENCE S42°16'29"E ON SAID RIGHT OF WAY LINE; 17.82 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ON A CURVE TO THE RIGHT ON SAID RIGHT OF WAY LINE (SAID CURVE HAVING A RADIUS OF 230.00 FEET; A CHORD BEARING S32°38'50"E, A CHORD DISTANCE OF 76.88 FEET) AN ARC LENGTH OF 77.23 FEET TO THE POINT OF BEGINNING. CONTAINS 5.044 ACRES MORE OR LESS.

Advertisement: January 30, 2020 edition of **The Journal**
February 6, 2020 edition of **The Journal**

Public Hearing: February 18, 2020 Planning Commission meeting
February 24, 2020 City Council meeting

Items of Record: **Exhibit 1. Mailed Notices to Adjoining Property Owners**
Exhibit 2. Notice of Publication
Exhibit 3. Unified Development Code
Exhibit 4. Application
Exhibit 5. Growth Management Plan
Exhibit 6. Staff Report
Exhibit 7. Proposed Development Plan
Exhibit 8. Resident comments

Additional exhibits as presented during hearing

REQUEST

Applicant is requesting to reclassify the zoning designation of 5.05 acres of land from the current "C-1" Neighborhood Commercial District and "C-2" General Commercial District classification to a "PUD" Planned Unit Development District classification. A request for PUD zoning includes submittal of a proposed preliminary development plan for a residential development.

REZONING REQUIREMENTS

Chapter 470: Development Review Procedures outlines the applicable requirements for Zoning Map amendments.

Section 470.020 (B) states:

"Zoning Map amendments may be initiated by the City Council, the Planning and Zoning Commission or upon application by the owner(s) of a property proposed to be affected."

Section 470.010 (E) requires that an informational notice be mailed and a "good neighbor" meeting be held.

Section 470.020 (F) requires that a public hearing be held by the Planning and Zoning Commission and the City Council. The Planning and Zoning Commission will submit a recommendation to the City Council upon conclusion of the public hearing.

Section 470.020 (G) outlines eleven findings of fact that the Planning and Zoning Commission and City Council must take into consideration in its deliberation of the request.

PREVIOUS PLANNING ACTIONS ON OR NEAR THE PROPERTY

- Lots 99, 100 and 110 along W. Pine Street were rezoned from "C-2" Neighborhood Shopping Center District and "R-2" Two Family Residential District to the current "C-1" Neighborhood Commercial District on August 28, 2000.
- Lots 101, 108 and 109 were rezoned from "R-2" Two Family Residential District to the current "C-2" Neighborhood Commercial District on August 28, 2000.
- The Town Center 4th Plat, which created the subject properties, was approved by the City on May 14th 2001.
- A Building Permit for the commercial building located directly north of the subject properties (613 W. Conway) was issued on May 22, 2014.

GOOD NEIGHBOR INFORMATIONAL MEETING COMMENTS

A Good Neighbor Informational meeting was held on May 22, 2019. Three residents attended the meeting in addition to City staff and the project applicant. A summary of the meeting is provided below:

What will be the price point of the units?

All units will be rented. Rent will range from \$1,200 to \$1,900 per unit.

Will vehicles parked in the driveway create a line-of-sight problem for vehicles traveling on Sunset Lane?

All units that face Sunset Lane have 2 parking spaces in the garage (1 space behind another), with an extended length driveway for additional vehicles and guest parking.

What are the size of the units?

All units will contain 3 bedrooms. 28 units will have 2/car garages and 39 units will have 1 car garages.

What type of screening will be installed along the east property line?

A type "A" screen will be installed that will consist of tall evergreen trees. The developer did not want to install a fence that would create a "wall" effect. There are several existing duplex properties to the east that already have a privacy fence. The use of a natural tree buffer is more costly to install but will provide a nicer and more natural buffer.

Will pets be allowed in the units?

Pets under 40 pounds are allowed. There is a \$500 charge plus a \$50/month fee that is used for weekly pet waste disposal.

**Is the public infrastructure adequate to support the development?
(Concern expressed on traffic signal at Sunset and 58 Highway; can schools handle the extra children; is multi-family appropriate behind Centerview; is this the right location for multi-family)**

Timing of traffic signal can be adjusted if traffic volume increases on Sunset Lane.

When advised of the proposed development the School District responded that the area in question is in the Raymore Elementary boundary where there is room for student growth (in relation to building capacity).

Trees and natural screening exist between Centerview and the proposed development. There are already several duplex buildings much closer to Centerview than the proposed development.

The location is ideal for multi-family development. The site is bounded by two collector roadways. There is commercial zoning to the north and to the west. There are existing two-family dwellings to the south and to the east. Development of multi-family on the property is a natural transition between the existing two-family dwellings and commercial land.

The Planning and Zoning Commission, at its June 18, 2019 meeting, was unable to conduct business due to a lack of quorum. Commissioners present at the meeting voted 4-0 to continue Case #19007 Conway Place PUD Rezoning and Preliminary Development Plan to the July 2, 2019 meeting of the Planning and Zoning Commission.

Following the meeting, the applicants held an additional good neighbor meeting to address questions and concerns from residents in the audience. 17 residents stayed for the meeting. Below is a summary of the discussion:

Is there any possibility of restricting the development as a senior living community?

There are no proposed age restrictions for the development. The layout of the site, proposed unit types, and floor plans do not typically lend themselves to senior residents. The topography of the site will require steps at the entrance into the units. Additionally, the proposed units are two-story units, thus requiring stairways on the interior as well.

Will there be basements or tornado/storm shelters for residents?

Some of the proposed units will have basements, and some will be slab-on-grade foundations. There will not be any dedicated storm shelters built as part of this project.

City Code does not require storm shelters or basements in any residential structure. Additionally, City Hall is designated as a public storm shelter, and would be available for any resident within the City in the event of a tornado or severe storm.

What will be the impact on the intersection of Sunset Lane and 58 Highway, specifically the timing of the traffic signal?

The potential traffic impacts on the surrounding intersections were evaluated as part of the requested rezoning. The City maintains control of the signal at 58 Highway and Sunset, and has the ability to adjust the timing if necessary.

ENGINEERING DIVISION COMMENTS

The Engineering Division of the Public Works Department has reviewed the application and indicated that it does comply with the design standards of the City of Raymore and recommends approval of the application. Please see the attached memorandum for specific comments.

STAFF COMMENTS

1. Attached single family dwellings, commonly referred to as townhomes, are only permitted under the "R-3" Medium Density Residential District, and the "R-3A" Multiple Family Residential District. Under the R-3 and R-3A zoning district there are use standards, contained in Section 420.010 of the Unified Development Code (UDC), specific to single-family attached dwelling units.
2. A Planned Unit Development District (PUD), is a special purpose zoning district intended to encourage the unified design of residential development. The district provides flexibility in the design of buildings, yards, courts, and circulation in exchange for the provision of platted common open space, amenities and design excellence. The district can be approved to accommodate the development of attached single family townhomes. The standards of Section 420.010 do not apply in a PUD.
3. The existing and proposed development standards applicable to the property are as follows:

C-2 (Existing)		PUD (Proposed)	
Minimum Lot Area		Minimum Lot Area	
per lot	-	per lot	10,000 sq.ft.
per dwelling unit	2,000 sq.ft.	per dwelling unit	2,000 sq.ft.
Minimum Lot Width (feet)	100	Minimum Lot Width (feet)	90
Minimum Lot Depth (feet)	100	Minimum Lot Depth (feet)	100
Yards, Minimum (feet)		Yards, Minimum (feet)	
front	30	front	30
rear	20	rear	19
side	10	side (interior)	8
side, abutting residential district	20	side (exterior)	15
Maximum Building Height (feet)	80	Maximum Building Height (feet)	50
Maximum Building Coverage (%)	40	Maximum Building Coverage (%)	40

4. The creation of a Planned Unit Development allows for greater flexibility in the design of buildings, yards, courts and circulation in exchange for the provision of platted common open space, amenities and enhanced design. The following components of the proposed development are being included as part of the PUD request:

- **Variety in Building Elevations** - The developer has provided (3) distinct floor plans, each with a distinct building facade. The variety in building types will help mitigate the appearance of monotony within the development.
- **Private Drive** - The PUD is necessary for the private drive for two reasons. **(1)** the lots that front the private drive do not have frontage along a public street, as required by the R-3 and R-3A zoning districts, and; **(2)** the PUD provides the necessary mechanisms for the control and maintenance of the private drive, and other open space areas by the developer.
- **Reduced Front and Side Yard Setbacks** - The PUD designation provides flexibility in the placement of buildings on the site. The reductions being requested pertain to the front-yard setbacks on corner lots, as well as the side-yard setbacks between buildings, as outlined below.

	PUD (Proposed)	R-3A
Minimum Lot Area		
per lot	10,000 sq.ft.	12,000 sq.ft.
per dwelling unit	2,000 sq.ft.	2,000 sq.ft.
Minimum Lot Width (feet)	90	90
Minimum Lot Depth (feet)	100	120
Yards, Minimum (feet)		
front	30	30
rear	19	30
side (interior)	8	10
side (exterior)	15	30
Maximum Building Height (feet)	50	50
Maximum Building Coverage (%)	40	40

5. The minimum parking standards for the uses allowed within the proposed

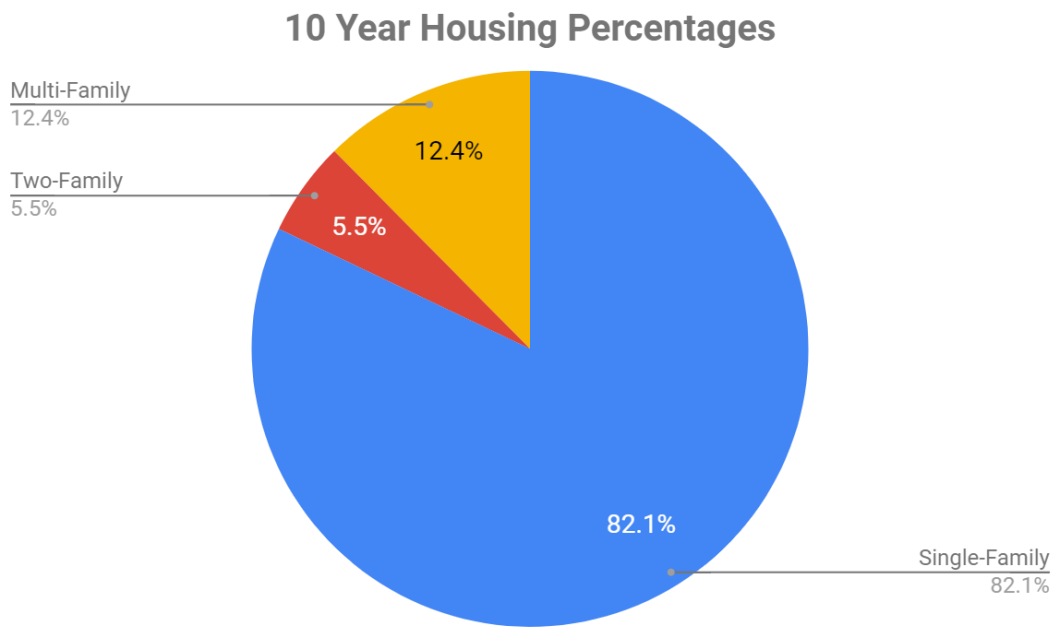
development are as follows:

Use	Minimum Parking Spaces Required
RESIDENTIAL USES	
Single Family Dwelling, Attached	2 per dwelling unit

Based on the 67 proposed units, a total of 134 spaces are required. Through the provision of elongated driveways, and a mix of 1 and 2-car garages, a total of 268 parking spaces are provided.

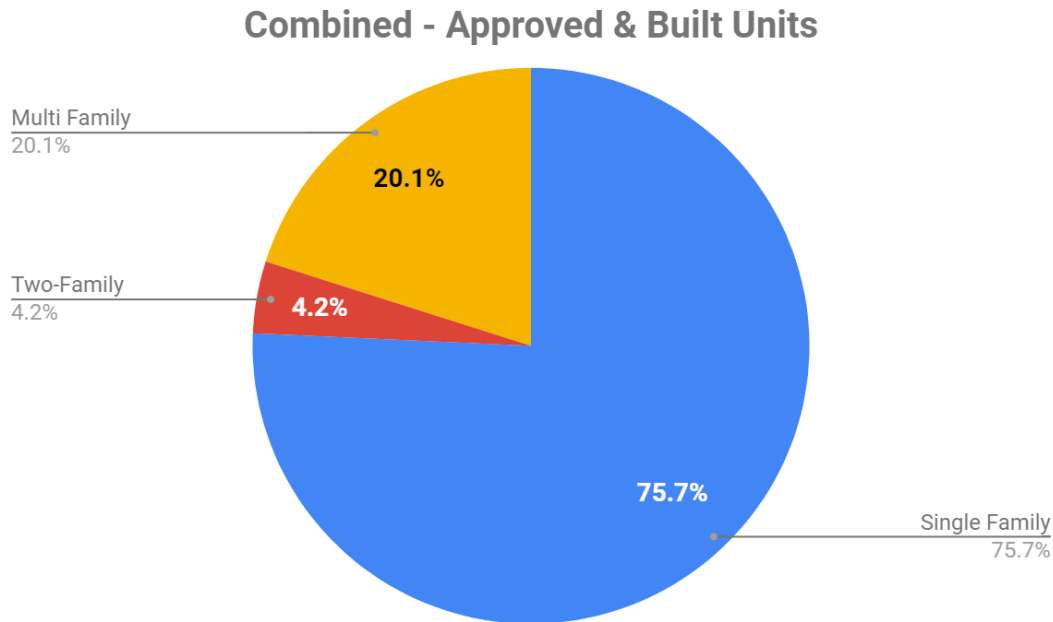
6. A Type-A screen will be provided along the northern and eastern property lines abutting the adjacent commercial and residential properties, as shown on the Landscaping Plan. This alleviates the requirement for the owners of the adjacent commercial lots to provide screening when those properties develop. The screening along the eastern property line will provide a visual break between the proposed units, and the existing homes to the east.
7. A development agreement has been prepared for the proposed rezoning and development plan that outlines the expectations from the applicant, property owner and City regarding the project.
8. For the past 10 years construction of residential dwelling units has predominantly consisted of single-family detached homes, as summarized below:

- **Single Family Dwellings - 82.1%**
- **Two Family Dwellings - 5.5%**
- **Multi Family Dwellings - 12.4%**



9. The overall residential land use ratio for the City, combining all of the existing dwelling units in the City with the total number of units currently approved but not yet constructed, is summarized below.

Even with the recently approved multi-family developments, the percentage of single-family housing remains at nearly 76%. The housing stock in Raymore is clearly dominated by single-family detached residential homes.



The 20.1% multi-family summary includes multi-family units within the following developments: Foxwood Springs; Manor Homes of Eagle Glen Apartments; and the proposed developments of The Lofts at Foxridge apartment community and the Venue of The Good Ranch townhome community

The 75.7% single-family summary includes all existing detached single-family homes and those undeveloped lots upon which a permit can be immediately issued.

With affordability of housing a continued topic of concern, variability in housing types is the most economical way to achieve affordability. Maintaining a balance of options for homeowners is important to continuing to build a city that is available to all.

10. The rezoning request was shared with the Raymore-Peculiar School District. The District indicated that the subject property falls within the Raymore Elementary attendance boundary, which has capacity for additional students.

11. The rezoning request and development plan were shared with the South Metropolitan Fire Protection District. The District requested the addition of the fire access lane, connecting the private drive (Anne Court) to Conway Street, which was added to the development. Additionally, the District shared concerns regarding on-street parking near intersections and near the fire access lane, which were addressed by the applicant.
12. Public Works staff conducted a traffic impact analysis to evaluate the impacts that the proposed zoning amendment would have on adjacent roads and intersections, in comparison to the existing zoning classification.

Under the current zoning classifications (C-1 and C-2), the site could be developed into roughly 63,426 square feet of commercial space. Staff looked at three different scenarios on how the site could be developed, as shown below, and used the *ITE Trip Generation Manual* to generate estimated trip generation rates.

	Scenario 1 (25% Retail; 75% Office)	Scenario 2 (100 % Office)	Scenario 3 (67 Townhome Units)
Total Trips	1,775	1,980	466
Total Peak Hour Trips	177	198	46

Upon review of traffic at Sunset Lane and M-58 highway, the signal for northbound traffic at Sunset Lane provides a protected left turn that is followed by an unprotected left turn. The goal of traffic flow is to move cars as best as possible along M-58 highway in groups, while balancing side street delays. While in many cases the current signal timing appeared adequate, the protected left turn signal time was lengthened by five (5) seconds to further allow cars to enter M-58 highway.

13. On June 18th, 2019, a public hearing was scheduled before the Planning & Zoning Commission. No quorum was met for the meeting and the Commission rescheduled the hearing for July 2, 2019. Subsequent to the meeting the applicant placed the review of the project on hold.
14. Due to a request from the applicant to delay the review of the rezoning request, staff renotified adjacent property owners and republished the legal notice for the scheduled February 18, 2020 public hearing. Notices were mailed to 26 adjacent property owners. Public notice signs were also placed on the property. Staff received no calls or emails regarding the proposal.
15. When the rezoning application was initially reviewed in 2019, letters in support and in opposition to the application were filed with staff. These letters have been included as part of the application packet.

PLANNING COMMISSION PROPOSED FINDINGS OF FACT

Under Section 470.050 of the Unified Development Code, the Planning and Zoning Commission and City Council are directed concerning its actions in dealing with a PUD request. Under 470.050 (F) the Planning and Zoning Commission and City Council is directed to make findings of fact taking into consideration the following:

1. the preliminary development plan's consistency with the Growth Management Plan and all other adopted plans and policies of the City;

There are inconsistencies between the preliminary development plan and the Growth Management Plan (GMP), specifically the land use component. The GMP identifies this area as appropriate for commercial development. However, this specific location presents challenges in being developed as a commercial property, including the "second tier" location on 58 Highway.

The preliminary development plan is consistent with Strategic Plan Goal 3.2.4: Provide quality, diverse housing options that meet the needs of our current and future community.

The City has a shortage of land available to provide housing options other than single family detached homes. Increasing the inventory of land appropriately zoned for this type of development would allow for increased diversity of housing options for community residents.

2. the preliminary development plan's consistency with the PUD standards of Section 415.060, including the statement of purpose;

The proposed preliminary development plan is consistent with the standards for a Planned Unit Development. The purpose of the proposed PUD and development plan is to provide flexibility in the design, location, orientation and phasing of the proposed development in order to meet the needs of the developer, applicant, and future tenants of the building.

3. the nature and extent of common open space in the PUD;

Common open space has been provided as part of the development. The stormwater detention basin and the landscaping buffers provide open space areas within the development.

4. the reliability of the proposals for maintenance and conservation of common open space;

The PUD designation will require the developer/property owner to create an HOA that will assume the maintenance of all common areas, detention basins, and private streets. Additionally, a stormwater maintenance agreement will be required for the stormwater detention areas, which will involve requirements for perpetual maintenance.

5. The adequacy or inadequacy of the amount and function of common open space in terms of the densities and dwelling types proposed in the

plan;

The proposed preliminary development plan does provide common open space. The plan proposes roughly 0.49 acres of open space, roughly 9% of the entire land area of the development. Additionally, a 1 acre common space area also exists for the detention facility that serves the subject lots, as well as the surrounding properties.

6. whether the preliminary development plan makes adequate provision for public services, provides adequate control over vehicular traffic, and furthers the amenities of light and air, recreation and visual enjoyment;

The preliminary development plan does make adequate provisions for public services, adequate control over vehicular traffic and parking, and furthers the amenities of light and air, recreation and visual enjoyment. The proposed plan identifies areas where parking will be prohibited to ensure safe circulation of vehicular traffic along major roadways, and to ensure adequate access is provided for emergency services.

The proposed private road will be maintained by the developer, thus services typically provided by the City (maintenance, snow removal etc...) will not apply.

Staff reviewed the traffic impact that this development would have on surrounding streets and intersections. The trip generation for townhome development was significantly less than the trip generation that would occur if the property were to be developed commercially under the current zoning classification. The existing roadways and intersections were designed to handle traffic generated by commercial development, thus they are suitable to the proposed rezoning and development.

7. whether the preliminary development plan will have a substantially adverse effect on adjacent property and the development or conservation of the neighborhood area;

The proposed development plan will not have an adverse effect on the adjacent properties. Commercial development exists to the north of the site, and the south and east property lines are all bordered by attached single family dwellings (duplexes).

Screening is being proposed to reduce the visual impact on properties that are adjacent to the development.

The Public Works Director has assessed the public utilities for the area and determined there is adequate availability to serve the project.

The stormwater detention pond across Sunset Lane to the west will be improved to assist in retaining water runoff for the area during rainstorms. The area will also be mowed and maintained by the HOA. Improvements to the detention basin will provide for water quality enhancements and allow for further detention of stormwater in rain events.

8. whether potential adverse impacts have been mitigated to the maximum practical extent;

The potential adverse impacts on surrounding properties have been mitigated to the maximum practical extent. Landscape buffers have been added throughout the proposed development to mitigate the visual impact of adjacent properties, and to satisfy landscaping/screening requirements that are not required for adjacent properties under the current zoning designation (C-2), but would be required under the proposed zoning amendment. Additional parking spaces and elongated driveways and garages are being proposed as part of the development to mitigate on-street parking that is typically generated by this type of development.

9. whether the preliminary development plan represents such a unique development proposal that it could not have accomplished through the use of (non-PUD) conventional Unified Development Code;

The proposed preliminary development plan represents a unique development proposal that could not have been accomplished through the use of conventional Unified Development Code.

Attached single family dwellings (townhomes) are permitted in the R-3 and R-3A zoning districts. However, with the proposed private drive, and the minor reduction in setbacks, the proposed units would not comply with the development standards of those districts. The requested PUD allows for greater flexibility in the design of buildings, yards, courts and circulation in exchange for the provision of platted common open space, amenities and enhanced design, all of which are being provided in this development. Additionally, the PUD allows for proper maintenance of common areas, detention basins, and the private drive.

10. the sufficiency of the terms and conditions proposed to protect the interests of the public and the residents of the PUD in the case of a plan that proposes development over a period of years.

The applicant is requesting approval of the entire development, but will be constructing the development in three concurrent phases in order to accommodate the construction of the necessary utility extensions, and the proposed private drive. The terms and conditions proposed to protect the interests of the public have been deemed to be sufficient.

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>City Council 1st</u>	<u>City Council 2nd</u>
Public Hearing	June 18, 2019	-----	-----
Public Hearing	February 18, 2020	February 24, 2020	March 9, 2020

STAFF RECOMMENDATION

City Staff recommends that the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case #19007: Sunset Plaza PUD Rezoning and Preliminary Development Plan to the City Council with a recommendation of approval, subject to the following conditions:

1. The Type "A" screen and landscape buffer, as illustrated on the landscape plan dated 5/21/2019, shall be installed along the north property line prior to the issuance of a Certificate of Occupancy for Lots 8, 11 and/or 12.
2. The Type "A" screen and landscape buffer, as illustrated on the landscape plan dated 5/21/2019, shall be installed along the eastern property line prior to the issuance of a Certificate of Occupancy for Lots 12 and/or 13.
3. Improvements to the stormwater detention basin located on Tract A of the Town Center 4th Plat shall be completed prior to the issuance of any Certificates of Occupancy for a structure in Sunset Plaza.
4. The building elevations and architectural design elements included in the Sunset Plaza P.U.D. Phases 1, 2 & 3 presentation document, dated February 2020 and submitted to the Planning and Zoning Commission, shall be followed. Architectural drawings submitted at the time a building permit is requested shall be consistent with the presentation document. Any requested modifications shall be approved by staff.
5. A Homeowner's Association shall be established to provide perpetual maintenance of the stormwater pond improvements, private roadways, and type "A" screen and landscape buffer. The HOA shall also provide for enforcement of no parking on the east and north side of the private drive, and no parking at any time in the fire access lane. The HOA shall also restrict parking in front of the units on Sunset Lane, Conway Place, and the private drives on the day trash is collected by the City.

PLANNING AND ZONING COMMISSION RECOMMENDATION

The Planning and Zoning Commission, at its February 18, 2020 meeting, voted 7-1 to accept the staff proposed findings of fact and forward Case #19007: Sunset Plaza PUD Rezoning and Preliminary Development Plan to the City Council with a recommendation of approval, subject to the following conditions:

1. The Type "A" screen and landscape buffer, as illustrated on the landscape plan dated 5/21/2019, shall be installed along the north property line prior to the issuance of a Certificate of Occupancy for Lots 8, 11 and/or 12.
2. The Type "A" screen and landscape buffer, as illustrated on the landscape plan dated 5/21/2019, shall be installed along the eastern property line prior to the issuance of a Certificate of Occupancy for Lots 12 and/or 13.

3. Improvements to the stormwater detention basin located on Tract A of the Town Center 4th Plat shall be completed prior to the issuance of any Certificates of Occupancy for a structure in Sunset Plaza.
4. The building elevations and architectural design elements included in the Sunset Plaza P.U.D. Phases 1, 2 & 3 presentation document, dated February 2020 and submitted to the Planning and Zoning Commission, shall be followed. Architectural drawings submitted at the time a building permit is requested shall be consistent with the presentation document. Any requested modifications shall be approved by staff.
5. A Homeowner's Association shall be established to provide perpetual maintenance of the stormwater pond improvements, private roadways, and type "A" screen and landscape buffer. The HOA shall also provide for enforcement of no parking on the east and north side of the private drive, and no parking at any time in the fire access lane. The HOA shall also restrict parking in front of the units on Sunset Lane, Conway Place, and the private drives on the day trash is collected by the City.

CITY COUNCIL ACTION 1ST READING - 2/24/2020

The City Council, at its February 24, 2020 meeting, voted 8-0 to accept the Planning and Zoning Commission proposed findings of fact and approved Case #19007: Sunset Plaza PUD Rezoning and Preliminary Development Plan on 1st reading, subject to the following conditions:

1. The Type "A" screen and landscape buffer, as illustrated on the landscape plan dated 5/21/2019, shall be installed along the north property line prior to the issuance of a Certificate of Occupancy for Lots 8, 11 and/or 12.
2. The Type "A" screen and landscape buffer, as illustrated on the landscape plan dated 5/21/2019, shall be installed along the eastern property line prior to the issuance of a Certificate of Occupancy for Lots 12 and/or 13.
3. Improvements to the stormwater detention basin located on Tract A of the Town Center 4th Plat shall be completed prior to the issuance of any Certificates of Occupancy for a structure in Sunset Plaza.
4. The building elevations and architectural design elements included in the Sunset Plaza P.U.D. Phases 1, 2 & 3 presentation document, dated February 2020 and submitted to the Planning and Zoning Commission, shall be followed. Architectural drawings submitted at the time a building permit is requested shall be consistent with the presentation document. Any requested modifications shall be approved by staff.
5. A Homeowner's Association shall be established to provide perpetual maintenance of the stormwater pond improvements, private roadways, and type "A" screen and landscape buffer. The HOA shall also provide for

enforcement of no parking on the east and north side of the private drive, and no parking at any time in the fire access lane. The HOA shall also restrict parking in front of the units on Sunset Lane, Conway Place, and the private drives on the day trash is collected by the City.

CITY COUNCIL ACTION 2ND READING - 3/9/2020

The City Council, at its March 9, 2020 meeting, voted 8-0 to accept the Planning and Zoning Commission proposed findings of fact and approved Case #19007: Sunset Plaza PUD Rezoning and Preliminary Development Plan on 2nd reading, subject to the following conditions:

1. The Type "A" screen and landscape buffer, as illustrated on the landscape plan dated 5/21/2019, shall be installed along the north property line prior to the issuance of a Certificate of Occupancy for Lots 8, 11 and/or 12.
2. The Type "A" screen and landscape buffer, as illustrated on the landscape plan dated 5/21/2019, shall be installed along the eastern property line prior to the issuance of a Certificate of Occupancy for Lots 12 and/or 13.
3. Improvements to the stormwater detention basin located on Tract A of the Town Center 4th Plat shall be completed prior to the issuance of any Certificates of Occupancy for a structure in Sunset Plaza.
4. The building elevations and architectural design elements included in the Sunset Plaza P.U.D. Phases 1, 2 & 3 presentation document, dated February 2020 and submitted to the Planning and Zoning Commission, shall be followed. Architectural drawings submitted at the time a building permit is requested shall be consistent with the presentation document. Any requested modifications shall be approved by staff.
5. A Homeowner's Association shall be established to provide perpetual maintenance of the stormwater pond improvements, private roadways, and type "A" screen and landscape buffer. The HOA shall also provide for enforcement of no parking on the east and north side of the private drive, and no parking at any time in the fire access lane. The HOA shall also restrict parking in front of the units on Sunset Lane, Conway Place, and the private drives on the day trash is collected by the City.