

THE **PLANNING AND ZONING COMMISSION** OF THE CITY OF RAYMORE, MISSOURI, MET IN REGULAR SESSION **TUESDAY, FEBRUARY 18, 2020**, 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, MATTHEW WIGGINS, CALVIN AKCLIN AND MAYOR KRIS TURNBOW. ABSENT WAS JEREMY MANSUR. ALSO PRESENT WERE DEVELOPMENT SERVICES DIRECTOR JIM CADORET, CITY PLANNER KATIE JARDIEU, PUBLIC WORKS DIRECTOR MIKE KRASS 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 February 4, 2020 meeting.**

Motion by Commissioner Urquilla, Seconded by Commissioner Petermann, to approve the minutes of the February 4, 2020 meeting.

Vote on Motion:

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

Motion passed 7-0-0.

6. **Unfinished Business - None**
7. **New Business -**
 - a. **Case #19007 - Sunset Plaza PUD Rezoning (public hearing)**

Sean Siebert, representing SPC, LLC, presented the request to the Commission and provided handouts of a powerpoint presentation on the project.

Commissioner Bowie arrived at 7:05 p.m.

Mr. Siebert stated he was raised in one of the two-family dwellings built by his father that is adjacent to the subject property. The subject property was vacant 30 years ago, and it remains vacant today.

Mr. Siebert stated he is partnering with Andy Mackey, who combined have completed over a half-dozen communities. The closest community is Oak Ridge Farms. He stated they wanted to duplicate the design of those units for Sunset Plaza.

Mr. Siebert indicated the development will be done in 3 concurrent phases, starting with units along Conway Street.

Mr. Siebert reviewed the parking that is provided for the units. There will be a mixture of units with 1 and 2 car garages, with 65% of the units having a 2-car garage. He commented that 4-feet has been added to the garage space to accommodate storage area and area for the trash/recycling carts.

Mr. Siebert closed his presentation with a review of his Oak Ridge Farms development in Raymore, including photographs of the interior and exterior of the units. The proposed Sunset Plaza development will have similar architecture and features.

Development Services Director Jim Cadoret provided the staff report.

Mr. Cadoret stated the request is to reclassify the zoning of 5 acres located in the Town Center 4th Plat. He stated the southern two lots of the property are currently zoned "C-1" Neighborhood Commercial and the northern three lots are zoned "C-2" General Commercial.

Mr. Cadoret stated there is R-2 zoning to the east and to the south, and the land to the north is zoned C-2.

Mr. Cadoret entered into the record the notices mailed to adjoining property owners; the notice of publication in The Journal; the Unified Development Code; the application submitted; the Growth Management Plan; the staff report; the proposed development plan; and the comments submitted by residents.

Mr. Cadoret stated the rezoning application includes submittal of a proposed preliminary development plan for a proposed 67-unit townhome development.

Mr. Cadoret stated a Good Neighbor meeting was held in May of 2019. A public hearing was scheduled to be held at the June 18 Planning Commission meeting, but no quorum of the Commission was present and the hearing was rescheduled for July 2nd. The applicants did hold an impromptu Good Neighbor meeting with those residents who were present for the hearing. The applicants placed a hold on review of the request prior to the July 2nd meeting date.

Mr. Cadoret stated the Engineering Division has indicated that the application does comply with the design standards of the City and have submitted a memorandum of their review comments.

Mr. Cadoret stated the PUD zoning designation provides the City with more control over the development while providing some flexibility in design.

Mr. Cadoret provided a summary of residential construction activity that has occurred over the past 10 years, which reflected that 82% of the dwelling units constructed were detached single-family homes. When combining existing dwelling units with all approved dwelling units in the City, the percentage of detached single-family dwelling units remains over 75% of the total. He indicated that Raymore remains a predominately single-family community.

Mr. Cadoret stated staff provided the Commission with proposed findings of fact and indicated staff recommends the Commission accept those findings and forward the request to the City Council with a recommendation of approval, subject to 5 conditions outlined in the staff report.

Chairman Faulkner opened the public hearing at 7:35 p.m.

Sarah Locke, 404 S. Sunset Lane, expressed her concern on the stormwater detention basin. She handed-out correspondence she had with Greg Rokos, former Assistant Public Works Director, regarding stormwater runoff.

Pam Hatcher, 1402 Young Circle, expressed her support for the request. She commented that the land should never have been zoned commercial as the land area has no visibility to 58 Highway. She was the listing agent for the property and there has been no interest in commercial development on the property.

Dr. Clarence Simmons, 613 W. Conway Street, indicated he is the closest affected property owner as he has his dental practice in the professional office building adjacent to the north. He also is the owner of the lot south of his practice, which is part of the proposed rezoning. He first bought his lot in 2003, and there has been no other interest in commercial development on any of the other lots. He stated he wanted to locate a coffee shop on the lot but with no visibility none of the franchises were interested. He expressed his support for the proposed rezoning.

Brad Rash, 409 N. Madison Street, expressed his support for the proposed development.

David Forester, owner of Dave's Bike Shop at 319 N. Municipal Circle, indicated he was neutral on the request. He stated he lives nearby and expressed concern on the volume of residents that would live in the development. He also expressed concern on pollutants getting into the stormwater system.

Sheryl Dunham, 404 N. Park Drive, expressed her concerns with the proposed rezoning. She felt the application was not compliant with the requirements for a PUD and that the application itself was insufficient. She also expressed concern on stormwater runoff and lack of storm shelters for residents of the development.

Chairman Faulkner closed the public hearing at 8:00 p.m.

Mayor Turnbow requested Mr. Krass to address the stormwater questions raised under public comments.

Mike Krass, Public Works Director, stated one of the first projects he was involved with when he began work for the City in 2001 was the Sunset ditch project which helped to address erosion into Silver Lake. He stated the stormwater detention pond was constructed to the standards in place in 2001 and if this project develops commercially no work is required to occur to the pond. He stated the proposed development includes enhancements to the detention basin that will address issues with erosion in the stream and bring the pond into compliance with current stormwater control and treatment requirements.

Commissioner Wiggins asked if the detention pond is a dry pond or if there will permanently be water in the pond.

Mr. Krass stated the pond will be a dry basin.

Commissioner Urquilla asked the applicant to speak to the impact of home values near the multi-family developments they have completed.

Andy Mackey, partner with Sean Siebert on the project, provided examples of what home values have done in the two-family units to the east of the subject property and within the Oak Ridge Farms development.

Commissioner Urquilla asked about the traffic generation impact on 58 Highway.

Mr. Cadoret commented that the trip generation from townhomes development is 3 to 4 times less than commercial development.

Commissioner Urquilla indicated his concern was more on the impact of residents getting onto I-49.

Mr. Krass commented on the traffic study that the City is having completed looking at 58 Highway and the I-49 interchange and what can be done to improve traffic flow.

Commissioner Urquilla asked for clarification on the impact of the development on the middle school or high school.

Mr. Cadoret stated the School District only commented on the impact of the development on the elementary school. He stated that if the district had any concerns they would have commented on it.

Commissioner Urquilla asked if the wait time for the signal at 58 and Sunset has been reviewed.

Mr. Krass commented that the timing of the lights are coordinated by Operation Green Light and by design the priority is for traffic flow on 58 Highway.

Commissioner Bowie asked if the modifications to the detention basin were part of the PUD.

Mr. Cadoret stated yes, the work required to the stormwater detention pond is listed as one of the staff recommended conditions.

Commissioner Bowie asked why staff requested the variations in architectural design within the development.

Mr. Cadoret stated the City wanted some variation in building design and wanted to ensure that the architectural drawings included in the applicant's presentation was the final product that gets built.

Commissioner Bowie asked about enforcement of the limitations on parking and other rules of the subdivision.

Mr. Mackey stated enforcement is typically done through the lease and by the Homeowner's Association.

Commissioner Wiggins asked how the number of residents within an individual unit are controlled.

Mr. Siebert commented that the number of tenants occupying a single unit is controlled through the lease agreement and restrictions.

Commissioner Petermann asked if there would be on-site management for the development.

Mr. Mackey stated if necessary, they would consider it.

Motion by Mayor Turnbow, Seconded by Commissioner Bowie, 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 5 conditions recommended by staff.

Mayor Turnbow made several comments related to the proposal: the School District indicated there is capacity in the schools and they are fully aware of the proposed developments in the City; commercial businesses are not interested in locating in this area; the Engineering Division provided information on the improvements that will occur with the stormwater detention basin; and the proposed use is the highest and best use for the property.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Wiggins	Aye

Commissioner Bowie	Aye
Commissioner Acklin	Aye
Commissioner Fizer	Aye
Commissioner Petermann	Aye
Commissioner Urquilla	Nay
Commissioner Mansur	Absent
Mayor Turnbow	Aye

Motion passed 7-1-0.

Commissioner Urquilla commented he voted against the motion as he has concerns with the impact the development will have on traffic flow and movement on 58 Highway.

b. Case #19008 - Sunset Plaza Final Plat

Sean Siebert indicated the request is to replat part of the Town Center 4th Plat property to allow for the Sunset Plaza development.

Mr. Cadoret presented the staff report.

Mr. Cadoret stated the final plat is to create a 13-lot subdivision, including a private drive to provide access to 4 of the lots. The total parcel size is 5.04 acres.

Mr. Cadoret stated the Engineering Division submitted its memorandum that all of the City requirements have been met.

Mr. Cadoret stated staff submitted proposed findings of fact on the final plat and recommends the Commission accept the proposed findings and forward Case #19008: Sunset Plaza Final Plat to the City Council with a recommendation of approval, subject to the following condition:

1. Approval of the Final Plat is contingent upon City Council approval of Case #19007: Sunset Plaza PUD Rezoning and Preliminary Development Plan.

Motion by Commissioner Bowie, Seconded by Commissioner Fizer, to accept the staff proposed findings of fact and forward Case #19008: Sunset Plaza Final Plat to the City Council with a recommendation of approval, subject to the one condition recommended by staff.

Vote on Motion:

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

Motion passed 8-0-0.

c. Amendment to Commission Rules of Procedure

Mr. Cadoret indicated this agenda item is a continuation of the discussion from the February 4, 2020 Commission meeting. Staff are recommending two changes to the Rules of Procedure. First change

would be to change the reference of the department name from Community Development Department to Development Services Department. The second change is in regards to Commission member absences from meetings. The language that was discussed on February 4 is now proposed for inclusion in the Commission Rules as follows:

A Commissioner shall be deemed to be neglecting their duty if they fail to attend three (3) consecutive regular scheduled meetings of the Commission or more than twenty-five percent (25%) of the Commission's regular scheduled meetings as established by Article VI, Section 1 of these Rules of Procedure during any twelve (12) month period without being excused. The Commission may make a recommendation to the Mayor requesting the removal and replacement of a Commission member that is negligent in their duties for their remaining unexpired term as indicated in Article III. The Mayor may, with consent of the City Council, remove a member from the Commission for misconduct or neglect of duty.

Commissioner Urquilla and Commissioner Wiggins appreciated the revised wording.

Motion by Commissioner Urquilla, Seconded by Commissioner Bowie, to accept the staff recommended changes and approve the update to the Commission Rules of Procedure.

Vote on Motion:

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

Motion passed 8-0-0.

8. City Council Report

Mr. Zerr provided a review of the February 10, 2020 Council meeting.

9. Staff Report

Mr. Krass provided an update on Public Works activity.

Mr. Cadoret provided an overview of the upcoming cases to be considered by the Commission. The Commission cancelled its March 3, 2020 meeting.

10. Public Comment

Sarah Locke, 404 S. Sunset Lane, again expressed her concern on stormwater runoff. She thought the entire tributary area to the stream was not considered, including runoff from Centerview. She stated the pond was not designed to handle the additional runoff.

Sheryl Dunham, 404 N. Park Drive, expressed frustration that the City is not following the City Code.

Christine Jones, 320 N. Park Drive, expressed concern that there is not a plan for enforcing HOA rules as part of the Sunset Plaza development, specifically parking.

11. Commission Member Comment

Commissioner Wiggins thanked the public that attended for providing their input. He also indicated he will be absent for the April 7 Commission meeting.

Commissioner Petermann thanked the public for attending.

Commissioner Bowie thanked the public for the input provided.

Commissioner Fizer thanked the public for the comments and indicated the Commission does listen to all the comments.

Commissioner Acklin thanked the public for attending.

Commissioner Urquilla thanked the public for the comments.

Mayor Turnbow thanked the public for providing input into the difficult decisions that the Commission must make. He took exception to the statement that the City is not following the City Code.

Chairman Faulkner commented on previous Community Conversations held and planning efforts completed and is left wondering on the question "What does Raymore want to be?". He stated he doesn't necessarily see community agreement on the topic.

12. Adjournment

Motion by Commissioner Urquilla, Seconded by Commissioner Wiggins, to adjourn the February 18, 2020 Planning and Zoning Commission meeting.

Vote on Motion:

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

Motion passed 8-0-0.

The February 18, 2020 meeting adjourned at 9:13 p.m.

Respectfully submitted,

Jim Cadoret