

THE **PLANNING AND ZONING COMMISSION** OF THE CITY OF RAYMORE, MISSOURI, MET IN REGULAR SESSION **TUESDAY, SEPTEMBER 15, 2020**, IN CITY COUNCIL CHAMBERS, 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING COMMISSION MEMBERS PRESENT: CHAIRMAN WILLIAM FAULKNER, MATTHEW WIGGINS, ERIC BOWIE, KELLY FIZER, JIM PETERMANN, MARIO URQUILLA, CALVIN ACKLIN AND MAYOR KRIS TURNBOW. ABSENT WAS JEREMY MANSUR. ALSO PRESENT WAS CITY PLANNER KATIE JARDIEU, DEVELOPMENT SERVICES DIRECTOR JIM CADORET, CITY ATTORNEY JONATHAN ZERR, AND PUBLIC WORKS DIRECTOR MIKE KRASS.

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 September 1, 2020 meeting.**

Motion by Commissioner Urquilla, Seconded by Commissioner Wiggins, to approve the minutes of the September 1 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.

6. Unfinished Business - None

7. New Business -

a. Case #20010 - Park Side Rezoning A to R-1P (public hearing)

Public hearing opened at 7:04 pm.

Joe Duffy, applicant and developer, presented the project stating that he had originally proposed multi-family on the property. However, he was discouraged by staff and went to an entire single family development. He envisions the area to be similar to what is there in Creekmoor and at prices starting at \$350,000 and higher.

Development Services Director Jim Cadoret presented the staff report stating the request is the rezoning of 155 acres located west of N. Madison Street, south of 163rd Street, from "A" Agricultural District to "R-1P" Single-Family Planned Residential District. The Growth Management Plan has designated this area as suitable for low density development since 1995. The extension of Sunset

Lane, approved through the G.O. Bond, will bisect the property nearly in half and has always been part of the City's plan. Seventeen residents attended the Good Neighbor meeting on July 8th, 2020. Mr. Cadoret shared the timeline for the project starting with an initial meeting in 2018 with a project that would have mixed use of two-family and single-family. Because of this mixed use, the "PUD" Planned Unit Development District zoning classification was identified as the most appropriate zoning and is similar to what Creekmoor originally brought forth. In May 2019 another version of the plan was brought forth and showed a reduction of residences. Mr. Duffy then brought forth a revised single-family only plan in 2020 and wanted to move forward with a rezoning and preliminary plan. This preliminary plan was brought to the Park Board in June as well as to the Good Neighbor Meeting. The following month, July, had the applicant place the project on hold in order to get all the necessary studies and jurisdictional letters in place. Waiting for these documents would cause a significant delay. Therefore the applicant asked to change from a PUD to a R-1P zoning. This would maintain the single family development but did not require a preliminary plan to be subsequently prepared since the mandatory studies and letters were not yet ready. Due to the applicant now requesting only a rezoning, the preliminary plan is no longer being considered at this time. The "P" - planned' aspect of this development does allow for a change in the lot dimensions, and Mr. Duffy is proposing a smaller minimum lot width in some of the lots at only 55-foot width which is similar to Eastbrook at Creekmoor to the North, which has 40-foot lot widths. Lastly, the school district has also seen the rezoning request and potential number of new homes and does not have any concerns with the development. Similarly the Engineering Department does not foresee any issues with the request.

Mr. Cadoret indicated that staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and forward case #20010 - Park Side Rezoning A to R-1P to the City Council with a recommendation of approval.

Chairman Faulkner provided an opportunity for any public present to speak.

Sarah Locke, 404 S. Sunset, had questions regarding the stormwater studies, where the tributary is going to be, and stated that the neighbor to the south of the property is agriculture and has no buffer, how would that be addressed? She also asked if this was part of the Growth Management Plan and if we are supporting businesses instead of residents.

Kenny Pfeiler, 806 N. Madison, stated that he moved here 3 years ago and raises pigs, chickens and rabbits. Seven homes would abut his property and he wondered if the smells and noises from his family farm would bother those people and suddenly there would be several complaints against him. He also wanted to know about the stormwater on N. Madison and the east side specifically. His family moved to Raymore for the small town feel.

Bradley Quest, 1116 N. Madison, asked about the timeline for completion of 163rd Street and if there are any improvements scheduled for Madison at Gore? He also wanted to know a timeline for the dog park.

Public Works and Engineering Director Mike Krass stated that the stormwater would be addressed with the preliminary plat and the developer would be required to follow the Unified Development Code. 163rd Street has a portion that is up to Creekmoor development to finish with Cooper Communities, however the city will complete 163rd at Sunset as part of the G. O. Bond that was recently passed. The City will look into the intersection at Madison and 163rd Street to see what improvements are needed, however there is very limited right-of-way and in some areas that is only 22 feet. The road is a two lane road but it still has plenty of capacity.

Mr. Cadoret answered that the Growth Management Plan shows single-family low density for the area going back to 1995 which is before Creekmoor was started. People will also be knowingly buying next to a family farm and the City is less sympathetic when people complain if they have bought the property knowing what to expect. The City acknowledges who was there first. As a City we want to

grow and we don't have commercial visibility off of the highway. Rooftops and houses ultimately help us get more commercial. The City only recently surpassed 20,000 population which helps us attract businesses and office buildings. In terms of the dog park, the future development of the park goes through a similar process with public engagement.

The public hearing was closed at 7:39 pm.

Commissioner Bowie asked for an example of R-1 versus R-1P. Mr. Cadoret responded that Madison Creek is R-1 whereas Eagle Glen and Brookside are R-1P. There are not any recent rezonings to R-1P and the City has not yet utilized the menu of amenities that R-1P now requires.

Commissioner Urquilla asked if the proposed use is single-family from the Growth Management Plan, then why would the City have let it remain agriculturally zoned. Mr. Cadoret responded that the City typically does not initiate rezonings, although that did happen on the east side of N. Madison Street where the area was rezoned to Residential Estate because of how the land was already being used. City Attorney Jonathan Zerr stated that the City does not initiate rezonings and the owner wouldn't appreciate a forced rezoning.

Commissioner Acklin asked if the smells and potential complaints from the farm would be addressed by the City. Mr. Cadoret answered that the City knows who was there first and sympathy to new neighbors would be limited. It is a current known when buying those lots that would back up to a farm.

Commissioner Wiggins asked if the reference menu of amenities and smaller lot sizes must follow the menu. Mr. Cadoret stated yes the applicant needed to follow the list and will provide the necessary amenities required by a Planned development rezoning.

Commissioner Fizer asked if the preliminary plat would be coming forward to the Planning Commission for approval. Mr. Cadoret replied that yes it would be and it would be a public hearing and Good Neighbor meeting as well.

Commissioner Wiggins asked if the preliminary plat did not go through would the rezoning revert back to agriculture. Mr. Cadoret explained that if the rezoning is approved, even if the preliminary plat is not approved, the property would stay R-1P zoning.

Motion by Commissioner Urquilla, Seconded by Commissioner Bowie, to accept the staff proposed findings of fact and forward Case #20010 - Park Side Rezoning from A to R-1P to City Council for approval.

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.

b. Case #20018 -Scooter's Coffee - Site Plan

Dan Forslund presented the site plan for the 566 square foot drive-thru building for Scooter's Coffee. There will be a drive-thru queue lane with eight to nine vehicle stacking for cars.

City Planner, Katie Jardieu presented the staff report for Scooter's Coffee and highlighted the mix of commercial and residential next to the site. The building will have drive-thru access only with four parking spots, one of which is handicap accessible for employees only. The following were noted during the staff report: that alcoholic beverages must be incidental to the use; outdoor seating and patio must be 100 feet from residential; a type A screen is necessary on the East side; a minimum 6-foot landscape buffer must be on all sides; and due to the building being drive-thru only, the site does not require pedestrian access to Foxwood Drive. Stormwater is addressed through an onsite pipe running through the property and no lighting, other than lights on the building, are proposed. The trash enclosure is to match the building in material and color per the UDC. There is also a gas line easement that runs through the property. Ms. Jardieu asked that the Planning Commission determine if the proposed CMU block construction for the trash receptacle enclosure met the provisions of the code.

Commissioner Wiggins asked about the lack of site lighting and the safety of the employees.

Mr. Forslund stated that in other locations the building is wrapped with LED strips as well as 8 sconces on the building. He felt the site lighting is adequate but safety is important to them and they will continue to evaluate.

Commissioner Bowie asked about getting in and out of the lot and how traffic would flow. Mr. Forslund stated that the only access is off of the private drive next to the car wash. Ms. Jardieu stated the drive is continuing to be built and all access will come from the rear of the site and no stacking would occur on Foxwood Drive as they have to go north to come into the parking and drive-thru line.

Commissioner Acklin asked if this is similar to the Scooter's in Raytown. Mr. Forslund stated this is the latest model and a better comparison would be the new Scooter's on Hwy. 150 in Lee's Summit.

Commissioner Urquilla asked how many franchises Mr. Burdick, the franchise owner, owned. Mr. Burdick stated this was his first store and he was planning for a second this year but ultimately for 3-5 stores total.

Commissioner Fizer asked to have the trash enclosure explained. Mr. Forslund stated the enclosure was CMU block painted the main color of the building. Chairman Faulkner asked what the downside of Hardie board siding would be. Mr. Forslund stated the connection point to the CMU block would potentially fail. Commissioner Urquilla asked what the feelings of City staff were on the materials. Ms. Jardieu indicated that the UDC states that the materials used need to match the main structure and this differs from that. Commissioner Wiggins stated he had a photo of a newer Scooter's and asked the applicant to clarify what color the enclosure would be as well as if they could expand on the CMU. Would it be a higher-end CMU and not just cement cinder block? Mr. Forslund stated they are proposing a smooth-face CMU face painted skyline steel beige and paint the steel gates to be inkwell color and the bollards in front to be red.

Commissioner Bowie stated the buffer to the east would stay and be expanded if necessary and wanted to know how walk-ups would be addressed. Mr. Forslund stated there would be no walk-up pedestrian access as there is not enough parking unless an employee is gone. Commissioner Bowie asked if alcohol was sold and Mr. Forslund stated no.

Chairman Faulkner stated that the sign plan was not a part of the application or approval. He also asked about the head pressure of the water supply. Mr. Krass responded that the architect was looking at a pressure pump but it would be addressed as part of the building permit.

Motion by Commissioner Urquilla, Seconded by Commissioner Wiggins, to accept the staff proposed findings of fact and approve Case #20018 -Scooter's Coffee Site Plan as submitted, subject to the 12 conditions of approval as noted.

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

City Attorney Jonathan Zerr provided a review of the Council meeting from September 14:

- Stop sign at N. Foxridge Dr and 163rd street has been approved
- Second Reading Re-Plat of the Prairie of the Good Ranch which was approved unanimously
- First Reading of Oak Ridge Farms Rezoning and public hearing.

9. Staff Report

Mr. Cadoret stated that there would be a Planning and Zoning Commission meeting on October 6th to hear a request for rezoning of 65 acres for the proposed Saddlebrook Subdivision from R-1P to R-2P. He also stated there would be a meeting on October 20th to discuss the 33rd UDC amendment proposing changes discussed during the annual review of the UDC. Preliminary and Final Plat review of North Cass Plaza will be on the Oct. 20 agenda as well.

10. Public Comment

No public comment

11. Commission Member Comment

Commissioner Bowie thanked the staff.

Commissioner Fizer mentioned that she was excited to see the progress and continued construction of The Lofts at Foxridge apartments..

Commissioner Acklin thanked the staff.

Commissioner Urquilla thanked the staff.

Commissioner Petermann thanked the staff.

Commissioner Wiggins thanked the staff.

Mayor Turnbow thanked staff and thanked the Commissioners for their due diligence.

Chairman Faulkner thanked the staff.

12. Adjournment

Motion by Commissioner Wiggins, Seconded by Commissioner Acklin, to adjourn the September 15, 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 September 15, 2020 meeting adjourned at 8:29 p.m.

Respectfully submitted,

Katie Jardieu