



RAYMORE PLANNING AND ZONING COMMISSION AGENDA

Tuesday, November 16, 2021 - 7:00 p.m.

City Hall Council Chambers
100 Municipal Circle
Raymore, Missouri 64083

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Personal Appearances - None
5. Consent Agenda
 - a. Approval of Minutes from October 19, 2021 meeting
6. Unfinished Business -
 - a. Case #21031: Unified Development Code 34th Amendment
7. New Business
 - a. Election of Officers
 - b. 2022 Meeting Calendar
 - c. Case #21039: LeMor Estates Lots 7 & 10 Rezoning (*public hearing*)
 - d. Case #21036: The Estates at Knoll Creek Preliminary Plat (*public hearing*)
8. City Council Report
9. Staff Report
10. Public Comment
11. Commission Member Comment
12. Adjournment

Meeting Procedures

The following rules of conduct apply:

1. Public can only speak during the meeting under the following circumstances:
 - a. The citizen has made a formal request to the Development Services Department to make a personal appearance before the Planning Commission;
or,
 - b. A public hearing has been called by the Chairman and the Chairman has asked if anyone from the public has comments on the application being considered;
or
 - c. A citizen may speak under Public Comment at the end of the meeting.
2. When the public comments portion of the public hearing is opened, the Chairman will first invite any individuals that live within the City limits of Raymore to speak. Upon conclusion of the comments from City residents, the Chairman will invite any individuals who do not live within the City limits of Raymore to speak.
3. If you wish to speak to the Planning Commission, please proceed to the podium and state your name and address. Spelling of your last name would be appreciated.
4. Please turn off (or place on silent) any pagers or cellular phones.
5. Please do not talk on phones or with another person in the audience during the meeting.
6. Please no public displays, such as clapping, cheering, or comments when another person is speaking.
7. While you may not agree with what an individual is saying to the Planning Commission, please treat everyone with courtesy and respect during the meeting.

Every application before the Planning Commission will be reviewed as follows:

1. Chairman will read the case number from the agenda that is to be considered.
2. Applicants will present their request to the Planning Commission.
3. Staff will provide a staff report.
4. If the application requires a public hearing, Chairman will open the hearing and invite anyone to speak on the request.
5. Chairman will close the public hearing.
6. Planning Commission members can discuss the request amongst themselves, ask questions of the applicant or staff, and may respond to a question asked from the public.
7. Planning Commission members will vote on the request.

THE **PLANNING AND ZONING COMMISSION** OF THE CITY OF RAYMORE, MISSOURI, MET IN REGULAR SESSION **TUESDAY, OCTOBER 19, 2021**, IN THE COUNCIL ROOM AT RAYMORE CITY HALL, 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING COMMISSION MEMBERS PRESENT: CHAIRMAN MATTHEW WIGGINS, WILLIAM FAULKNER, KELLY FIZER, TOM ENGERT, JEREMY MANSUR, JIM PETERMANN, MAYOR KRIS TURNBOW, AND MARIO URQUILLA. ABSENT WAS ERIC BOWIE. ALSO PRESENT WAS CITY ATTORNEY JONATHAN ZERR, CITY PLANNER DYLAN EPPERT, DIRECTOR OF DEVELOPMENT SERVICES JIM CADORET, DIRECTOR OF PUBLIC WORKS MIKE KRASS, ASSISTANT CITY ENGINEER TRENT SALSBURY, AND ADMINISTRATIVE ASSISTANT EMILY JORDAN.

1. **Call to Order** – Chairman Wiggins called the meeting to order at 7:00 p.m.
2. **Pledge of Allegiance**
3. **Roll Call** – Roll was taken and Chairman Wiggins declared a quorum present to conduct business.
4. **Personal Appearances** – None
5. **Consent Agenda**
 - a. **Approval of Minutes from October 5, 2021 meeting**
 - b. **Case #21033 - Stegmaier Acres Lot 2 replat**
 - c. **Case #21034 - Eastbrooke at Creekmoor 3rd Plat**

Motion by Commissioner Faulkner, Seconded by Mayor Turnbow, to approve the consent agenda.

Vote on Motion:

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

Motion passed 8-0-0.

6. **Unfinished Business - None**
7. **New Business -**
 - a. **Case # 21028: Hawk Ridge Park West Site Plan**

Parks & Recreation Director Nathan Musteen is presenting site plans on behalf of the Parks & Recreation Board for West Hawk Ridge Park improvements. Mr. Musteen stated that the plans being presented are part of the No Tax Increase Bond Issue. There is a two-part process to the improvements at Hawk Ridge Park. Site plans include improvements of the parking area at the soccer complex, portable restroom cover, trail around the soccer park, a trail that connects the west side to the playground area, as well as creation of Laurus Drive. The project will be bid into separate components so the Park Board and City Council can select those portions

that fit within the budget, specifically that Laurus Drive is listed as an alternate. What is being presented meets all requirements from a City perspective, and has been looked over by the Engineering & Development Services departments.

City Attorney Zerr mentioned that there are 10 conditions the Commission should take into consideration as well as what was presented.

City Planner Dylan Eppert gave the Staff Report, highlighting that what is being requested is an extension of the current Hawk Ridge Park to the west. There will be 5 soccer fields, 3 parking areas, and portable restrooms added to the West Park. The property is currently zoned "PR" Parks & Recreation and Public Use. Existing surrounding areas are undeveloped to the north, and to the south, east, and west are single-family residential. The total tract size is 79 acres. The Future Land Use Plan identifies the property as appropriate for the expansion. There was one comment from the Fire Department, if access to Laurus Drive is constructed, there should be a no parking sign on one side of the street since the road is designed for one-way traffic flow. The Engineering department did not have any comments or issues with the proposal.

Mayor Turnbow mentioned that he noticed there is an entrance and exit for the grass parking for the soccer fields, but it appears that it overlaps existing parking and crosses the trail. How easy will it be for people to get from the parking lot to the grassy parking area? What is the overflow parking area designed for?

Mr. Musteen replied that it will be curbed, it will be ribbon curbing. The parking stalls will be parking blocks and will be reinforced concrete so cars can drive over it. The grass parking is strictly for event parking and overflow parking. The soccer fields are designed only for practice at this point, and should not require overflow parking. Overflow parking is for the Mud Run and events at the Amphitheater.

Chairman Wiggins asked if the soccer fields will be grass or turf?

Mr. Musteen stated that the soccer fields will be grass.

Motion by Commissioner Urquilla, Seconded by Commissioner Mansur, to accept Staff proposed findings of facts and approve Case #21028 Hawk Ridge Park West Site Plan subject to the 10 conditions as stated.

Vote on Motion:

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

Motion passed to approve the case 8-0-0.

b. Case #21032: Creekmoor 7th Amendment to the Memorandum of Understanding (public hearing)

Chairman Wiggins opened the public hearing at 7:11pm.

Steve Warger, 6127 NW Pineridge Circle, Parkville MO, came before the Commission on behalf of Cooper Land Development to request an amendment to the Memorandum of Understanding (MOU). The reason for the request is to eliminate the duplex lots within the subdivision. The lots were originally established as duplex lots and have never been developed as such. These lots are located in the southeast corner of the subdivision. The MOU revision would not change any of the setback requirements, lot size requirements, etc. The goal is to get the Eastbrooke 3rd fully into single-family.

Director of Development Services Jim Cadoret began the Staff Report, stating that the Creekmoor MOU has been in place since the approval of the subdivision in 2004. Previous amendments to the MOU have been approved to remove other multi-family lots, converting them to single-family. Since the MOU was approved as part of the Preliminary Plan at a public hearing, all amendments must have a public hearing as well. A GO Bond for the City will be extending 163rd Street to the intersection at Sunset Lane. From Sunset Lane to the east property line of Creekmoor, Cooper Land Development will be required to install an extension of 163rd Street. The Parkside subdivision will be required to finish the extension of 163rd Street to North Madison Street. Included in the original packet as part of the MOU amendment is a letter of credit requirement, which has since been removed. The City and Cooper Land Development have agreed to remove that requirement since City Staff is comfortable with the wording of the MOU which ensures the road segment would be complete no later than 36 months after Eastbrooke is completed. There have been 4 trigger events put into place that would replace the Letter of Credit that would ensure the builder completes the road in a timely manner.

Commissioner Urquilla stated in exhibit B for 9/15/21, 2-family is shown, and questioned the accuracy.

Chairman Wiggins mentioned that the text for the area in question says 2-family when it should be single-family.

Mr. Cadoret stated that that change will be made.

Commissioner Faulkner stated that the new map is not showing the current layout of the Eastbrooke subdivision. Both the table and the map are incorrect.

Mr. Cadoret made a comment that many of the layouts are actually different from what the map shows. Since the subdivisions are a conceptual plan, the City has not required the developers to update the exact lot layout, but the land use designations should be updated.

Commissioner Mansur asked about the estimated and maximum 24 2-family units, and if they have been previously approved.

Mr. Cadoret responded that those 24 units were present on the old map, but the update to the MOU would bring that number of 2-family units to zero.

Chairman Wiggins asked Mr. Cadoret to confirm that the update to the MOU would essentially change the entirety of the subdivision to single-family?

Mr. Cadoret confirmed this.

Motion by Commissioner Mansur, Seconded by Commissioner Petermann, to accept Staff proposed findings of facts and forward Case #21032 7th Amendment to Creekmoor Memorandum of Understanding to City Council with a recommendation of approval.

Commissioner Urquilla asked Mr. Cadoret to explain why the City felt comfortable releasing the required Letter of Credit.

Mr. Cadoret responded the 4 trigger events that were put into place are what made the City feel comfortable releasing the Letter of Credit, the main trigger event being the developer has 36 months from when the City accepts the improvements of Eastbrooke 3rd plat. The plat extends south, but does not go all the way to 163rd Street. The City felt there had to be a trigger event that would require Cooper Land Development to build the road. The MOU stays with the property, so even if Cooper Land Development pulls out from doing the project, whoever purchases the property will still have to abide by the MOU, including building the road.

Chairman Wiggins asked if anyone from the public wanted to speak on the application. With no one from the public wanting to speak, Chairman Wiggins closed the public hearing at 7:24 p.m.

Vote on Motion:

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

Motion passed to approve the case 8-0-0.

c. Case #21031: Unified Development Code 34th Amendment (public hearing)

Chairman Wiggins opened the public hearing at 7:25pm.

Mr. Cadoret began the Staff Report, highlighting that the City is officially presenting the 34th Amendment to the Unified Development Code (UDC), which was directed by the Planning & Zoning Commission when conducting the annual review of the UDC. The 34th Amendment proposes three specific changes. Section 1 of the draft bill incorporates language into the flood protection standards of the UDC that no platted lots may encroach into the FEMA flood plain area or the 100-year flood elevation for areas not identified as flood hazard areas. This language was in the zoning code before the UDC was created, and is included in the code for non-residential lots. This change would create the same language in the residential section of the code as exists for non-residential lots. Section 2 of the draft bill would clarify the language in the sign chapter of the UDC. The City allows one monument sign per public street frontage of the property the sign will be on. It needs to be clarified that corner lots may have two monument signs, one per public street frontage. This has always been the way the code was interpreted, and the language of the code should reflect that. Section 3 of the draft bill includes modifications of the provisions regarding minor subdivision plats. Section 470.100 currently defines the process for minor subdivisions, specifically that the proposed subdivision would create no more than 5 lots, would not propose any new public street or easement of access, as well as the new lots being proposed must meet the standards of lot requirements per the

UDC. Currently these minor plats require review by the Planning Commission and City Council. Unless there is a public street or right-of-way being proposed, City Staff views the minor plat process as more of a mandatory approval process as long as the proposal meets all other requirements for a minor plat application.

Chairman Wiggins closed the public hearing at 7:30pm.

Commissioner Faulkner stated that the proposed amendment regarding the flood plains already appears to exist in the code, as shown in the second half of section 460.080 A1a. The language exists in the code book that is in print currently.

Mr. Cadoret replied that it was an oversight, the language clearly already exists in the code and does not need to be duplicated. In the non-residential section for flood plains, the language is listed under clause "C", and it does not need to be recreated in the residential section as a clause "C" if the language already exists.

Commissioner Faulkner stated that the draft ordinance calls the sign section 435.010, but the correct section is 435.050?

Mr. Cadoret responded that yes, it should be shown as 435.050.

Commissioner Faulkner asked about the Minor Subdivisions section, 470.100. Assuming the amendment is approved, there is no mention of 470.010A, which is the chart showing who does what, where there is a line that would be appropriate to change as well if the amendment is approved.

Mr. Cadoret replied that if section 1 is being taken away, the table can show administrative approval instead of what it is showing now.

Commissioner Faulkner asked why in section D, Procedure, D.1.b., why does the minor subdivision plat start back as a final plat if it does not qualify as a minor plat?

Commissioner Urquilla mentioned that in section C, the description states that the contents of a minor subdivision must include all information and certifications required on a final plat as specified in Section 470.130. Could this be the reason for the language in D.1.b?

Mr. Cadoret responded that there are sometimes situations where a plat is submitted with 6 lots and no new right-of-way, which would not qualify as a minor subdivision. This plat would not require a preliminary plat since there is no new right-of-way, but it would still qualify as a final plat. If the submission does not meet the requirements for a minor subdivision, it would have to be reevaluated to see where it fits into the Code. Mr. Cadoret suggested eliminating clause "b" in section 1D.

Mr. Zerr stated that eliminating clause "B" would make clause "A" simply D.1. Mr. Zerr also mentioned that regarding the flood plains, the language in the non-residential section has the language as clause "C". The residential section could have the language removed from clause "A" and create a clause "C" with the new language for continuity between the sections.

Mayor Turnbow stated that because of all the changes being suggested, he would like to make a motion to carry over the case until all of the modifications have been made for clearer understanding.

Motion by Mayor Turnbow, Seconded by Commissioner Urquilla, to carry over Case #21031 Unified Development Code 34th Amendment to a future meeting, allowing Staff to make changes and present a clearer understanding.

Mr. Cadoret stated that the case will be revisited on November 16, 2021.

Commissioner Engert asked Mr. Cadoret how many minor plat changes are submitted annually?

Mr. Cadoret responded there are one or two annually.

Vote on Motion:

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

Motion passed to approve the motion 8-0-0.

8. City Council Report

City Attorney Jonathan Zerr gave an overview of the City Council meeting that took place since the Planning & Zoning Commission last met.

9. Staff Report

Mr. Cadoret gave the Staff Report, highlighting that Staff proposes to cancel the November 2nd Planning & Zoning Commission meeting due to the absence of both Mr. Cadoret and Mr. Eppert. November 16th will be a full meeting including the expansion of the Knoll Creek subdivision, and 1st and 2nd final plat for the Sendera subdivision. There will also be rezoning requests for LeMor Estates and Timber Trails behind Walmart.

10. Public Comment

No public comment.

11. Commission Member Comment

Commissioner Faulkner thanked Staff and mentioned it is good to see everyone back.

Commissioner Mansur thanked Staff.

Commissioner Fizer thanked Staff, and reminded everyone of Raymore Truck-tober.

Commissioner Petermann welcomed Mr. Cadoret back, thanked Staff, and asked if there has been a date assigned for the joint meeting?

Mr. Cadoret replied that Monday, January 31st, 2022 at 7pm is the date that is being proposed.

Commissioner Engert thanked Staff and is looking forward to what is coming in the next few weeks.

Commissioner Urquilla is glad that everyone is back and healthy, and appreciates everything Staff does. Have a safe Halloween.

Mayor Turnbow thanked Staff.

Chairman Wiggins thanked Staff, and welcomed back Mr. Cadoret and Mr. Musteen. Have a safe Halloween.

12. Adjournment

Motion by Commissioner Urquilla, Seconded by Commissioner Engert, to adjourn the October 19, 2021 Planning and Zoning Commission meeting.

Vote on Motion:

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

Motion passed 8-0-0.

The October 19, 2021 meeting adjourned at 7:52 p.m.

Respectfully submitted,

Emily Jordan



To: Planning and Zoning Commission
From: City Staff
Date: November 16, 2021
Re: **Case #21031: 34th Amendment to the UDC – Misc. Items**

GENERAL INFORMATION

Applicant: City of Raymore

Requested Action: 34th Amendment to the Unified Development Code – Misc. Items from Annual Review of the UDC

Advertisement: September 30, 2021 Journal Newspaper

Public Hearing: October 19, 2021 Planning and Zoning Commission

Items of Record:

Exhibit 1.	Growth Management Plan
Exhibit 2.	Unified Development Code
Exhibit 3.	Notice of Publication
Exhibit 4.	Staff Report

TEXT AMENDMENT REQUIREMENTS

Chapter 470: Development Review Procedures outlines the applicable requirements for amending the text of the Unified Development Code.

Section 470.020 (B) states:

“...text amendments may be initiated by the City Council or the Planning and Zoning Commission”.

Section 470.020 (F) requires that a public hearing be held by the Planning and Zoning Commission and the City Council.

Section 470.020 (G) (2) states:

“In its deliberation of a request, the Planning and Zoning Commission and City Council must make findings of fact taking into consideration the following:”

1. whether such change is consistent with the intent and purpose of the Unified Development Code and plans adopted by the City of Raymore.
2. whether the proposed text amendment corrects an error or inconsistency in the code;
3. the areas which are most likely to be directly affected by such change and in what way they will be affected;
4. whether the proposed amendment is made necessary because of changed or changing conditions in the areas and/or zoning districts affected by it; and
5. whether the proposed text amendment is in the best interests of the City as a whole.

STAFF COMMENTS

1. The 34th Amendment to the Unified Development Code (UDC) is the result of discussions held by the Planning and Zoning Commission after completing its 2021 annual review of the UDC. At its September 21, 2021 meeting the Commission discussed the results of research completed by City staff on several topics and directed staff to submit the UDC revisions proposed in the 34th amendment.
2. The 34th amendment consists of four (4) separate revisions proposed to the UDC. The amendments are listed in the proposed ordinance as follows:
 - Section 1: Provides consistency of code language for Flood Protection standards for residential and commercial construction.
 - Section 2. Clarifies in the Sign Chapter that 1 monument sign is permitted per street frontage for a property.
 - Section 3. Modifies the provisions regarding minor plats, allowing the Development Services Director to approve a minor plat under specific circumstances.
 - Section 4. Modifies the Summary of Procedures table to update the changes regarding review of minor plats.

STAFF PROPOSED FINDINGS OF FACT

Under Section 470.020 of the Unified Development Code, the Planning and Zoning Commission is directed concerning its actions in dealing with a request to amend the text of the Unified Development Code. Under 470.020 (G) (2) the Planning and Zoning Commission is directed to make findings of fact taking into consideration the following:

1. **whether such change is consistent with the intent and purpose of the Unified Development Code and plans adopted by the City of Raymore;**

Each of the proposed amendments are consistent with the identified purpose and intent of Section 400.040 of the Unified Development Code and with the Growth Management Plan.

2. **whether the proposed text amendment corrects an error or inconsistency in the code;**

The proposed sections of the ordinance do not correct an error or inconsistency.

3. **the areas which are most likely to be directly affected by such change and in what way they will be affected;**

The changes would affect properties throughout the City.

4. **whether the proposed amendment is made necessary because of changed or changing conditions in the areas and/or zoning districts affected by it; and**

The proposed amendments are generally not made necessary because of changed or changing conditions in the zoning districts. The amendments are proposed to clarify language in the code.

5. **whether the proposed text amendment is in the best interests of the City as a whole.**

The proposed amendments are intended to better clarify language in the code which would be in the best interests of the City as a whole..

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>City Council 1st</u>	<u>City Council 2nd</u>
Public Hearing	October 19, 2021	November 22, 2021	December 13, 2021

STAFF RECOMMENDATION

Staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case #21031, 34th amendment to the UDC, to the City Council with a recommendation of approval.

BILL XXXX

ORDINANCE

“AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING THE UNIFIED DEVELOPMENT CODE”

WHEREAS, the City Council of the City of Raymore, Missouri adopted the Unified Development Code as Ordinance 28117 on December 8, 2008; and

WHEREAS, the Planning and Zoning Commission held a public hearing on the proposed 34th Amendment to the Unified Development Code on October 19, 2021, and is forwarding the amendment to the Council with a recommendation of xxxxxxxxxxxx; and

WHEREAS, the Council held a public hearing on the proposed 34th Amendment to the Unified Development Code on November 22, 2021 and accepted the recommendation of the Planning and Zoning Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RAYMORE, MISSOURI, AS FOLLOWS:

Section 1. Section 460.080A1 of the Unified Development Code is hereby amended as follows:

CHAPTER 460: Flood Protection

Section 460.080 Specific Standards

A. In all areas identified as numbered and unnumbered A zones and AE zones, where base flood elevation data have been provided as set forth in Section 460.070, the following provisions are required:

1. Residential Construction

- a.** New construction or substantial improvement of any residential structure, including manufactured homes, must have the lowest floor, including basement, elevated to or one foot above base flood level. ~~and no platted lots may encroach in the Federal Emergency Management Agency (FEMA) floodplain or the 100-year flood elevation for areas not identified as special flood hazard areas.~~
- b.** This subsection does not apply to any land development activity for which a preliminary plat or other phased development has been previously approved as of February 28, 2005

or to any land development activity which has been submitted for preliminary plat approval as of February 28, 2005.

C. No platted lots may encroach in the Federal Emergency Management Agency (FEMA) floodplain or the 100-year flood elevation for areas not identified as special flood hazard areas.

Section 2. Section 435.050 is repealed in its entirety and re-enacted as follows:

CHAPTER 435: Signs

Section 435.050 Sign Types Permitted *(Amendment 2 – Ordinance 29073 7.27.09) (Amendment 9 – Ordinance 2011-22 4.11.11)*

Signs are permitted in each zoning district as follows:

Zoning District	Sign Type		Max Number Permitted	Maximum Size (sq ft)	Maximum Height	Illumination Permitted	Additional Requirements
A	Monument		1 per street frontage	64	12	direct or indirect	Signs with a commercial message are only permitted upon property that has approval for a public, civic or commercial use or as permitted in Section 435.070A2. See Sections 435.060 A,B,C, &D; 435.070
	Wall		3 per establishment	10% of façade area	n/a	direct or indirect	
	Temporary Event	Noncommercial Message	1 per street frontage for each event, issue, candidate or belief	64	12	not permitted	
		Commercial Message	1 per street frontage				
RE, RR, R-3, R-3A, R-3B, PUD and PR	Monument		1 per street frontage	32	6	direct or indirect	Signs with a commercial message are only permitted upon property that has approval for a public, civic or commercial use or as permitted in Section 435.070A2. See Sections 435.060 A,B,C, &D; 435.070
	Wall		3 per establishment	10% of facade area	n/a	direct or indirect	
	Temporary Event	Noncommercial Message	1 per street frontage for each event, issue, candidate or belief	32	6	not permitted	
		Commercial Message	1 per street frontage				

Zoning District	Sign Type		Max Number Permitted	Maximum Size (sq ft)	Maximum Height	Illumination Permitted	Additional Requirements
R-1A, R-1, R-1.5, and R-2	Monument		1 per street frontage	32	6	direct or indirect	Signs with a commercial message are only permitted upon property that has approval for a public, civic or commercial use or as permitted in Section 435.070A2. See Sections 435.060 A,B,C, &D; 435.070
	Wall		3 per establishment	10% of façade area	n/a	direct or indirect	
	Temporary Event	Noncommercial Message	1 per street frontage for each event, issue, candidate or belief	16	6	not permitted	
		Commercial Message	1 per street frontage				
PO & C-1	Monument		1 per street frontage	32	6	direct or indirect	See Section 435.060D
	Wall		3 per establishment plus one under canopy	10% of facade area	n/a	direct or indirect	See Section 435.060 A,B,C
	Temporary Event	Noncommercial Message	1 per establishment per street frontage for each event, issue candidate or belief	32	6	not permitted	See Section 435.070
		Commercial Message	1 per establishment per street frontage				

Zoning District	Sign Type	Max Number Permitted	Maximum Size (sq ft)	Maximum Height	Illumination Permitted	Additional Requirements	
C-2, C-3, BP, M-1 and M-2	Monument Sign	Individual building with 1 tenant	1 per street frontage	32	6	direct or indirect	See also Section 435.060D
		Individual building 2-4 tenants	1 per street frontage	48	6	direct or indirect	See also Section 435.060D
		Shopping center under 100,000 square feet	1 per street frontage	80	15	direct or indirect	See also Section 435.060D
		Shopping center 100,000 square feet or more	1 per street frontage	300	30	direct or indirect	See also Section 435.060D
	Monument or Ground	Billboard on lot under 2 ac	1 per street frontage	32	6	direct or indirect	See also Section 435.060D & E
		Billboard on lot 2-5 ac	1 per street frontage	48	6	direct or indirect	See also Section 435.060D & E
		Billboard on lot greater than 5 ac	1 per street frontage	80	15	direct or indirect	See also Section 435.060D & E
	Wall		3 per establishment plus 1 under canopy	10% of facade area	n/a	direct or indirect	See also Section 435.060A, B, C
	Temporary Event	Noncommercial Message	1 per establishment per street frontage for each event, issue, candidate or belief	32	6	not permitted	See Section 435.070
		Commercial Message	1 per establishment per street frontage				

Section 3. Section 470.100 is is repealed in its entirety and re-enacted as follows:

Section 470.100 Minor Subdivisions

A. Applicability

A subdivision may qualify as a “minor subdivision” if:

1. the proposed plat of subdivision or resubdivision will create no more than five lots, tracts or parcels of land;~~or~~
2. no public street or easement of access is sought to be dedicated, or is projected, through (as opposed to adjacent to) the lot, tract or parcel proposed to be subdivided or re-subdivided; and
3. the proposed plat of subdivision is in compliance with all requirements of the Unified Development Code.

B. Applications

1. An application for a minor subdivision may be obtained from the Development Services Director. The application must be completed in its entirety in accordance with Section 470.010C and filed with the Development Services Director.
2. No preliminary plat is required for a minor subdivision.

C. Contents of the Minor Subdivision Plat

The contents of the minor subdivision plat must include all the data, information and certifications required on final plats as specified in Section 470.130.

D. Procedure

~~1. Development Services Director Review~~ **Development Services Director Review Planning and Zoning Commission Recommendation**

All proposed minor subdivision plats ~~first~~ will be submitted to the **Development Services Director** ~~Planning and Zoning Commission~~ for review. ~~and recommendation.~~ If a proposed minor subdivision complies with the applicable requirements of the Unified Development Code, then the **Development Services Director may approve the minor subdivision plat.** ~~Planning and Zoning Commission may recommend approval, approval with conditions or disapproval.~~

~~2. City Council Action~~ **City Council Action**

~~Following review and recommendation by the Planning and Zoning Commission, the final plat will be transmitted to the City Council for final action. The City Council will either approve, approve with conditions or disapprove the minor subdivision plat. If the final plat is disapproved, the subdivider will be notified of the reasons for such disapproval.~~

~~E. Findings of Fact~~ **Findings of Fact**

~~The Planning and Zoning Commission will recommend approval, and the City Council will approve the minor subdivision plat if it finds the minor subdivision plat:~~

- ~~1. complies with the Unified Development Code, RSMo Chapter 445, and all other applicable standards;~~
- ~~2. there are sufficient public safety, transportation, and utility facilities and services exist to serve the subject property, while maintaining sufficient levels of service to existing development; and~~
- ~~3. will not have a significant adverse impact on the environment.~~

FE. Recording; Effect of Approval

Upon approval of the minor subdivision plat by the **Development Services Director** City Council, the subdivider will be responsible for recording the plat with the Cass County Recorder of Deeds and returning the required copies of the plat to the Development Services Director in accordance with Section 470.130F.

Section 4. Section 470.010A is repealed in its entirety and re-enacted as follows:

Section 470.010 General Requirements

A. Summary of Procedures *(Amendment 2 – Ordinance 29073 7.27.2009) (Amendment 22 - Ordinance 2015-068 - 9.14.15) (Amendment 24 - Ordinance 2017-004 2.13.17) (Amendment 28 - Ordinance 2018-066 9.10.18)*

The following table provides a summary of the review and approval procedures of this chapter. In the event of conflict between this summary table and the detailed procedures contained elsewhere in this chapter, the detailed procedures govern.

	Development Services Director and Engineering Staff	Board of Adjustment	Planning & Zoning Commission	City Council	Board of Appeals
Zoning map amendments (rezoning)	R		[R]	[D]	
Text amendments	R		[R]	[D]	
Conditional uses	R		[R]	[D]	
Uses subject to special conditions	D				
Planned unit development (PUD)	R		[R]	[D]	
Zoning Variances	R	[D]			
Appeals of UDC Administrative Decisions		D			
Minor subdivision plat	R D	A	R	D	
Preliminary subdivision plat	R		[R]	[D]	
Final subdivision plat	R		R	D	
Replat	D	A	A		
Zoning certificate	D	A			
Sign permit	D	A			
Site plan review	D or R		A or D	A	
Right-of-way Vacation	R		[R]	[D]	
Interpretations	D	A			A (Chapter 455 or 460)
Administrative adjustments	D	A			
Natural Resource Protection Variances	R				D
Flood Plain Management Variances	R				D
Inflatable Signs	R		D	A	
Easement Vacation	R			[D]	

R = Recommendation D = Decision A = Appellate authority [] Public Hearing Required

Section 5. This Ordinance shall be known as the 34th Amendment to the Unified Development Code.

Section 6. Effective Date. The effective date of approval of this Ordinance shall be coincidental with the Mayor’s signature and attestation by the City Clerk.

Section 7. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

DULY READ THE FIRST TIME THIS 22ND DAY OF NOVEMBER, 2021.

BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 13TH DAY OF DECEMBER, 2021, BY THE FOLLOWING VOTE:

Councilmember Abdelgawad
Councilmember Barber
Councilmember Berendzen
Councilmember Burke III
Councilmember Circo
Councilmember Holman
Councilmember Townsend
Councilmember Wills-Scherzer

ATTEST:

APPROVE:

Erica Hill, City Clerk

Kristofer P. Turnbow, Mayor

Date of Signature

**Raymore Planning and Zoning Commission
2022 Meetings and Deadlines**

Planning Commission Meeting Date	Residential Preliminary Plat Submission Deadline	Annexation, Rezoning, Site Plan, Final Plat, Conditional Use Permit Submission Deadline	Park Board (prelim. plat only) Suggested Meeting Date	Final Revisions Submission Deadline	Planning and Zoning Commission Public Hearing Notice		City Council Public Notice	City Council 1st Reading	City Council 2nd Reading
					Sent to publish	Neighbor Notice	Sent to publish		
1st and 3rd Tuesdays	60 days prior	Commercial Preliminary and Final 30 days prior to submission deadline	Meeting before revision deadline	10 working days before meeting	3 weeks before meeting (Friday)	2 weeks before meeting (Friday)	3 weeks before meeting (Friday)	2nd and 4th Mondays	Usually next meeting following 1st reading
4-Jan	5-Nov	3-Dec	9-Nov	16-Dec	10-Dec	17-Dec	31-Dec	24-Jan	14-Feb
18-Jan	19-Nov	17-Dec	9-Nov	3-Jan	23-Dec	29-Dec	21-Jan	14-Feb	28-Feb
1-Feb	3-Dec	31-Dec	14-Dec	18-Jan	7-Jan	14-Jan	21-Jan	14-Feb	28-Feb
15-Feb	17-Dec	14-Jan	14-Dec	1-Feb	21-Jan	28-Jan	4-Feb	28-Feb	14-Mar
1-Mar	31-Dec	4-Feb	25-Jan	14-Feb	4-Feb	11-Feb	18-Feb	14-Mar	28-Mar
15-Mar	14-Jan	11-Feb	25-Jan	1-Mar	18-Feb	25-Feb	4-Mar	28-Mar	11-Apr
5-Apr	4-Feb	4-Mar	22-Feb	22-Mar	11-Mar	18-Mar	25-Mar	25-Apr	9-May
19-Apr	18-Feb	18-Mar	22-Feb	5-Apr	25-Mar	1-Apr	15-Apr	9-May	23-May
3-May	4-Mar	1-Apr	22-Mar	19-Apr	8-Apr	15-Apr	29-Apr	23-May	13-June
17-May	18-Mar	15-Apr	22-Mar	3-May	22-Apr	29-Apr	20-May	13-June	27-June
7-Jun	8-Apr	6-May	26-Apr	23-May	13-May	20-May	3-June	27-June	11-Jul
21-Jun	22-Apr	20-May	26-Apr	7-Jun	27-May	3-Jun	17-Jun	11-Jul	25-Jul
5-Jul	6-May	3-Jun	24-May	20-Jun	10-Jun	17-Jun	1-Jul	25-Jul	8-Aug
19-Jul	20-May	17-Jun	24-May	5-Jul	24-Jun	1-Jul	15-Jul	8-Aug	22-Aug
2-Aug	3-June	1-Jul	28-Jun	19-Jul	8-Jul	15-Jul	29-Jul	22-Aug	12-Sep
16-Aug	17-Jun	15-Jul	28-Jun	2-Aug	22-Jul	29-Aug	19-Aug	12-Sep	26-Sep
6-Sep	8-Jul	5-Aug	26-Jul	22-Aug	12-Aug	19-Aug	2-Sep	26-Sep	10-Oct
20-Sep	22-Jul	19-Aug	26-Jul	6-Sep	26-Aug	2-Sep	2-Sep	10-Oct	24-Oct
4-Oct	5-Aug	2-Sep	23-Aug	20-Sep	9-Sep	16-Sep	30-Sep	24-Oct	14-Nov
18-Oct	19-Aug	16-Sep	23-Aug	3-Oct	23-Sep	30-Sep	21-Oct	14-Nov	28-Nov
1-Nov	2-Sep	30-Sep	27-Sep	18-Oct	7-Oct	14-Oct	21-Oct	14-Nov	28-Nov
15-Nov	16-Sep	14-Oct	27-Sep	31-Oct	21-Oct	28-Oct	4-Nov	28-Nov	12-Dec
6-Dec	7-Oct	4-Nov	25-Oct	18-Nov	10-Nov	18-Nov	18-Nov	12-Dec	9-Jan
20-Dec	21-Oct	18-Nov	25-Oct	6-Dec	23-Nov	2-Dec	16-Dec	9-Jan	23-Jan

A Public Hearing is Required for Preliminary Plat, Rezoning, and Conditional Use Permits.

~ All applicants are required to meet with the City's Development Review Committee (DRC) prior to making any application.

~ The DRC meets by appointment with applicants. An appointment can be scheduled by calling the Development Services Department at 816.892.3016

~ All applications must be complete upon submittal. A complete application and submission includes all required engineering plans



To: Planning and Zoning Commission
From: City Staff
Date: November 16th, 2021
Re: **Case #21039 LeMor Estates - Lots 7 and 10 Rezoning**

GENERAL INFORMATION

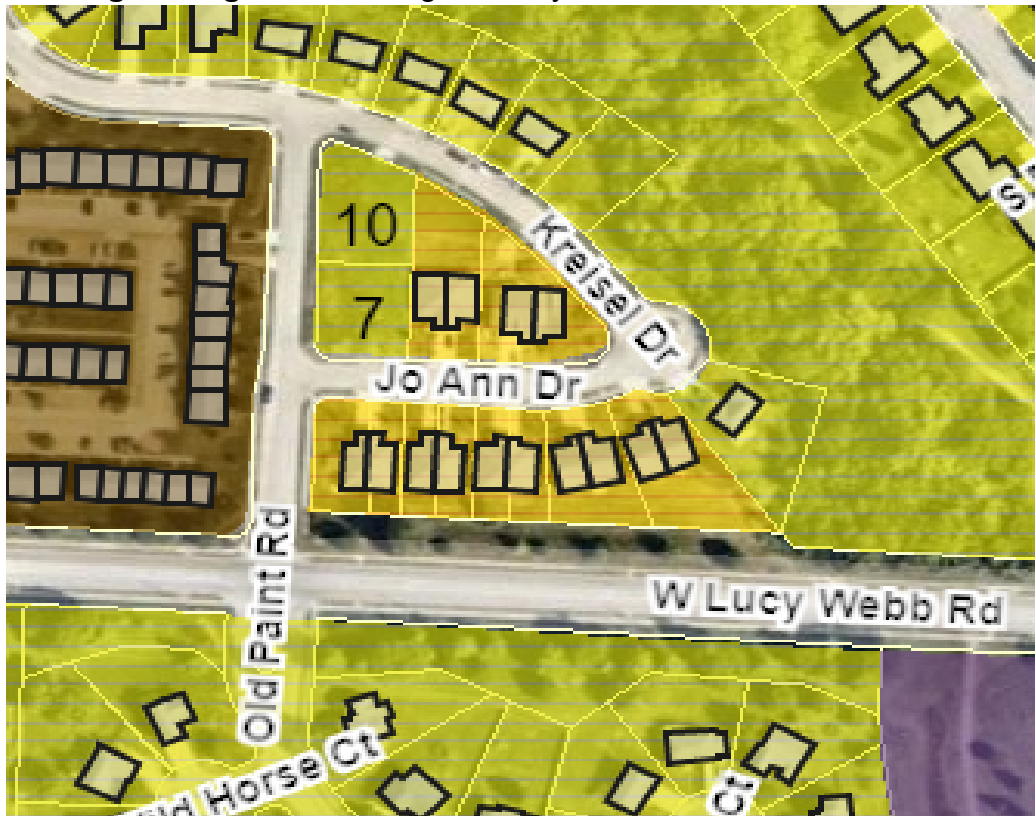
Applicant: Keith Wehmeir
Harper Building LLC.
PO Box 375
Greenwood, MO 64034

Requested Action: Request to Rezone lots 7 and 10 from R-1P to R-2

Property Location: Generally located north of W Lucy Webb Rd, east of Old Paint Rd.



Existing Zoning: “R-1P” Single-Family Residential Planned District



- North: R-1 (Single Family Residential)
- East: R-2P (Single and Two-Family Residential Planned District)
- South: R-1 and R-2P (Single Family) and Single and Two-Family Residential Planned District)
- West: R-3B (Apartment Community Residential District)

Growth Management Plan: The Future Land Use Map of the current Growth Management Plan designates this property as appropriate for Medium Density Residential.

Major Street Plan: The Major Thoroughfare Plan Map classifies W Lucy Webb Road as a Major Collector while Old Paint Rd and Kreisell Dr. are classified as local roads.

Advertisement: November 4, 2021 **Journal** newspaper

Public Hearing: November 16, 2021 Planning Commission meeting

Items of Record: **Exhibit 1. Mailed Notices to Adjoining Property Owners**
Exhibit 2. Notice of Publication in Newspaper

Exhibit 3. Unified Development Code

Exhibit 4. Application

Exhibit 5. Growth Management Plan

Exhibit 6. Staff Report

Additional exhibits as presented during hearing

REQUEST

Applicant is requesting to rezone LeMor Estates Lots 7 and 10 from “R-1P” Single Family Residential Planned District to “R-2” Single and Two-Family Residential District.

REZONING REQUIREMENTS

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

Section 470.020 (A) Authority:

“City Council may, by ordinance, amend, supplement, change, modify or repeal the Unified Development Code and the zoning district boundaries.

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 470.020 (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.

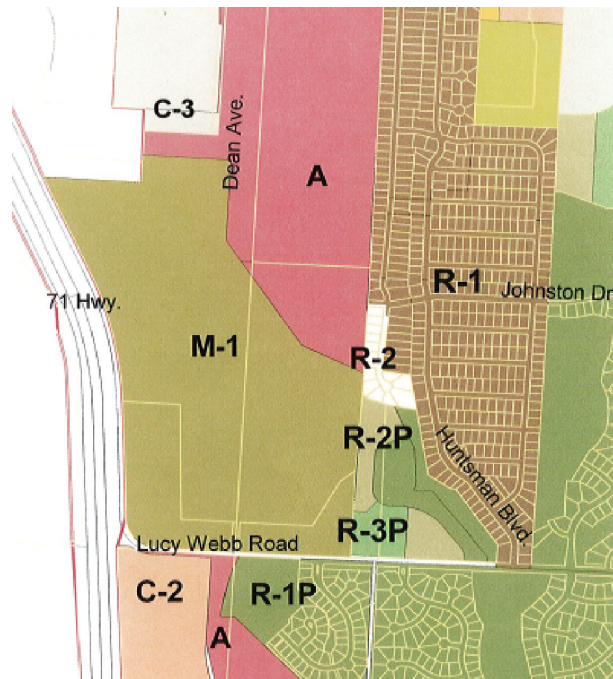
Section 470.020 (G) outlines eleven findings of fact that the Planning and Zoning Commission and City Council must take into consideration in its deliberation of the request.

PREVIOUS PLANNING ACTIONS ON OR NEAR THE PROPERTY

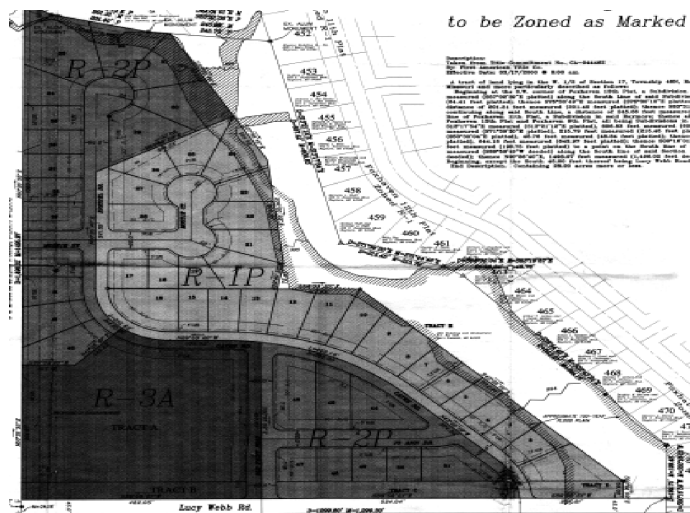
1. Land containing the LeMor Estates Subdivision was rezoned from “A” Agricultural District to “R-1P” Single Family Planned Residential District, “R-2P” Two-Family Planned Residential District, and “R-3A” Multi-Family Residential District, in August and September of 1999. At the time of the rezoning, the land area to the west (now known as the Timber Trails Subdivision) was zoned “M-1” Light Industrial District. The R-1P zoning designation for the Timber Trails Subdivision was established in February of 2004.

The rezoning of land in LeMor Estates established the R-2P and R-3A zoning district as a land use buffer adjacent to the industrial zoned land to the west. The

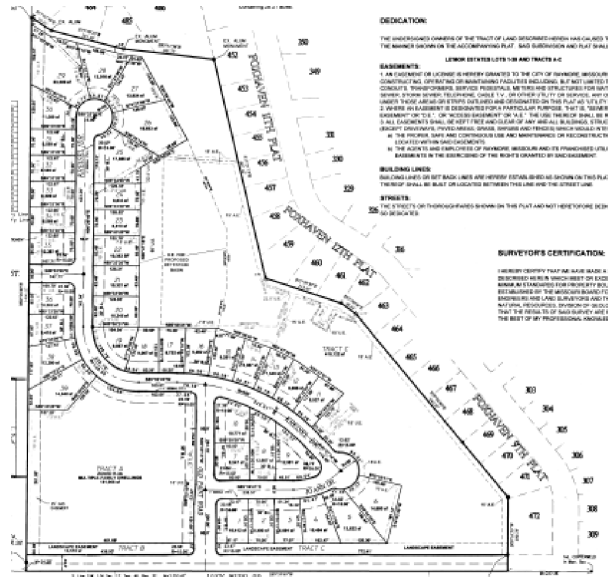
R-1P land was established on the land along the west side of the creek. The 1999 rezoning is illustrated below:



- 2. In April of 2001, the zoning boundary line of the R-1P and R-2P district for the land was adjusted as illustrated below:



3. On October 22, 2004 the final plat for LeMor Estates subdivision was recorded.



4. On July 9, 2007, Lots 7, 10, and 25 were rezoned from R-2P to R-1P, and adjustments were made to the applicable development standards for all lots in the subdivision as follows:

"R-1P" Single-Family Planned	
Lot Area Minimum	7,545sqft
Lot Width	60ft
Lot Depth	100ft
Front Yard	30ft
<u>REAR YARD</u>	<u>18 FT</u>
Side Yard Interior	10% of lot width 10' maximum
Side Yard Exterior	30ft
Building Coverage	30%
Waiver from 410.290 Lot Design	

Lot Area Minimum (per lot)	8,589sqft
Lot Width	70ft
Lot Depth	100ft
Front Yard	30ft
<u>REAR YARD</u>	<u>18 FT</u>
Side Yard Interior	10% of lot width 10' maximum
Side Yard Exterior	30ft
Building Coverage	30%

5. On May 13th, 2013 the City Council voted to deny the rezoning application which would have rezoned Lots 21-25.

STAFF COMMENTS

1. The property has been zoned "R-1P" Single-Family Residential Planned District since July 8th, 2007. At that time the then owner indicated they could not fit a two-family structure on the lot and requested the rezoning to allow a single-family home.
2. Lots 7 and 10 are both currently owned by Keith Wehmeir (Harper Building LLC.). Mr. Wehmeir does have a building plan for a two-family structure that will fit upon both Lot 7 and Lot 10 while respecting the required building setbacks.
3. When LeMor Estates was first planned and approved Lots 7 and 10 were zoned R-2 to allow for two-family structures.
4. There are two-family structures on the adjacent lots 8 and 9. Two-family structures also exist on the five lots to the south of Lots 7 & 10.

ENGINEERING DIVISION RECOMMENDATION

Not applicable to this application.

STAFF PROPOSED FINDINGS OF FACT

Under 470.020 (G) (1) the Planning and Zoning Commission and City Council is directed to make findings of fact taking into consideration the following:

1. **the character of the surrounding neighborhood, including the existing uses and zoning classification of properties near the subject property;**

The character of the surrounding neighborhood is a mixture of single-family residential, single and two-family residential and apartment style living.

2. **the physical character of the area in which the property is located;**

The physical character of the area in which the property is located is primarily residential. To the east is two-family residential as well as to the south, to the West is apartments and finally to the North is Single family residential. Lots 7 and 10 are relatively flat in nature.

3. consistency with the goals and objectives of the Growth Management Plan and other plans, codes and ordinances of the City of Raymore;

The Growth Management Plan identifies this property as appropriate for medium density residential development, defined as two family residential.

4. suitability of the subject property for the uses permitted under the existing and proposed zoning districts;

Lots 7 and 10 are suitable for development for both single-family and two-family dwelling units.

5. the trend of development near the subject property, including changes that have taken place in the area since the subject property was placed in its current zoning district;

In 1999 this area was zoned "A" Agriculture and rezoned to "R-1P" Single Family Planned Residential District, "R-2P" Two-Family Planned Residential District and "R-3A" Multi-Family Residential District. In April of 2001 the zoning boundary line of the R-1P and R-2P district for the land was adjusted which had R-1P north of Kreisel Dr and R-2P south of Kreisel Dr. Lots 7 and 10 were rezoned to R-1P on July 9th, 2007.

6. the extent to which the zoning amendment may detrimentally affect nearby property;

The proposed zoning map amendment would not detrimentally affect the surrounding properties. The proposed amendment would allow for development that would be consistent with existing surrounding development.

7. whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;

Adequate public infrastructure is available to serve the site as lots 7 and 10 are infill lots of the existing subdivision for LeMor Estates. There is existing water and sanitary sewer infrastructure to serve the property. The adjacent road network can adequately serve the site.

8. the suitability of the property for the uses to which it has been restricted under the existing zoning regulations;

The property is currently suited for uses under the current zoning regulations.

9. the length of time (if any) the property has remained vacant as zoned;

The property has remained vacant since it was incorporated into the City.

10. whether the proposed zoning map amendment is in the public interest and is not solely in the interests of the applicant; and

The proposed zoning map amendment is in the public interest as it would allow for development that is consistent with existing surrounding development.

11. the gain, if any, to the public health, safety and welfare due to the denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.

There will not be gain to the public health, safety and welfare of the community as a result of the denial of the application. Denial would not keep the character of the neighborhood as all properties surrounding these lots are two family or apartments except to the north where single family does exist.

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>City Council 1st</u>	<u>City Council 2nd</u>
Public Hearing	November 16, 2021	November 22, 2021	December 13, 2021

STAFF RECOMMENDATION

City staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and forward case #21039, rezoning of lots 7 and 10 from “R-1P” Single Family Residential Planned District to “R-2” Single and Two-Family Residential District, to City Council with a recommendation of approval.



Published: 10/19/2021
1 in = 188.08 ft



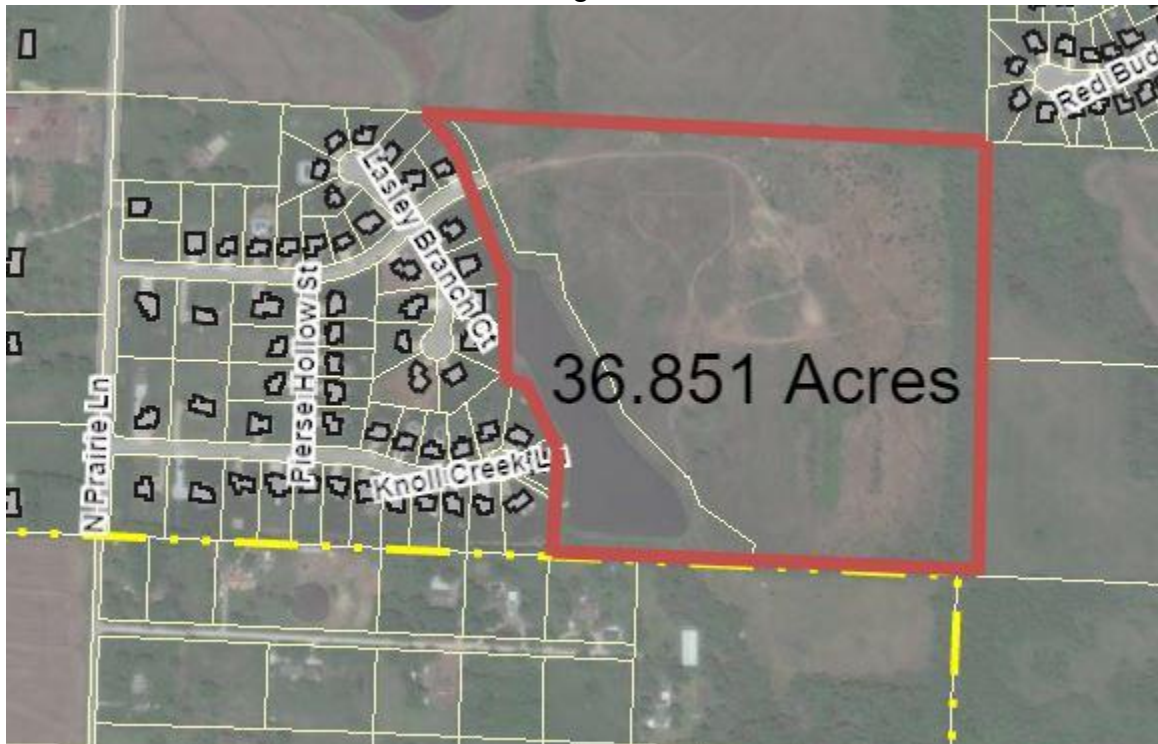
To: Planning and Zoning Commission
From: City staff
Date: November 16, 2021
Re: Case #21036: The Estates at Knoll Creek - Preliminary Plat

GENERAL INFORMATION

Applicant/Property Owner: Tyler Sallee
Sallee Real Estate Investments LLC.
PO Box 6437
Lee's Summit, MO 64064

Requested Action: Preliminary Plat Approval for 36.851 Acres

Property Location: Generally located at the undeveloped land east of existing Estates at Knoll Creek Subdivision.



Existing Zoning: "R-1" Single-Family Residential District



Existing Surrounding Zoning: **North:** A - Agriculture District
South: Unincorporated Cass County
East: A - Agriculture District
West: R-1 - Single Family Residential

Total Tract Size: 36.851 Acres

Total Number of Lots: 76 lots & 5 tracts

Legal Description: All that part of the Southwest Quarter of Section 12, Township 46 North, Range 32 West, in the City of Raymore, Cass County, Missouri described by Jed A.M. Baughman, Missouri PLS-2014020708 of Renaissance Infrastructure Consulting as follows:

Commencing at the Southeast Corner of said Section 12; Thence North 87° 17'57"

West, along the South line of the Southeast Quarter of said Section 12, a distance of 2700.95 feet to the South Quarter Corner of said Section 12, said point being the point of Beginning; thence North 87°21'58" West, along the South line of the Southwest Quarter of said Section 12, a distance of 702.36 feet to a point on the East line of THE ESTATES AT KNOLL CREEK, a subdivision in said Cass County, Missouri; thence along said East line for the following eleven courses: thence North 18°48'29" East, a distance of 56.31 feet; thence North 54°39'33" West, a distance of 217.52 feet; thence North 21°55'22" West, a distance of 91.42 feet; thence North 44°54'37" West, a distance of 263.18 feet; thence North 20°48'00" West, a distance of 134.15 feet; thence North 29°43'27" West, a distance of 263.88 feet; thence North 11°56'01" West, a distance of 135.21 feet; thence North 87°44'17" West, a distance of 121.28 feet; thence North 22°44'20" West, a distance of 224.51 feet; thence North 24°13'33" West, a distance of 142.40 feet; thence North 37°43'40" West, a distance of 116.37 feet to a point on the North line of the South Half of the Southwest Quarter of said Section 12; thence South 87°08'32" East, along said North line, a distance of 1680.34 feet to the Northeast Corner of said South Half; thence South 02°18'59" West, along the East line of said South half, a distance of 1320.50 feet to the Point of Beginning, containing 1,605,250 square feet, or 36.851 acres, more or less.

Growth Management Plan: The Future Land Use Map of the current Growth Management Plan designates this property as appropriate for Low Density Residential.

Major Street Plan: The Major Thoroughfare Plan Map classifies N. Prairie Lane as a Major Collector and Hall's Creek Avenue as a local road.

Advertisement: October 28, 2021 **Journal** newspaper

Good Neighbor: October 27, 2021

Public Hearing: November 16, 2021 Planning Commission meeting

Items of Record: **Exhibit 1. Mailed Notices to Adjoining Property Owner**
Exhibit 2. Notice of Publication
Exhibit 3. Unified Development Code
Exhibit 4. Application
Exhibit 5. Growth Management Plan
Exhibit 6. Staff Report
Exhibit 7. Preliminary Plat
Additional exhibits as presented during hearing

PRELIMINARY PLAT REQUIREMENTS

The following section of the Unified Development Code is applicable to this application:

Section 470.110: Preliminary Plats

A. Applications

1. An application for a preliminary plat may be obtained from the Development Services Director. The application must be completed in its entirety in accordance with Section 470.010C and submitted at least 60 days prior to the date of the meeting where it will be considered.
2. For property in commercial or industrial zoning districts, the application must be submitted at least 30 days prior to the date of the meeting.

B. Memorandum of Understanding

A Memorandum of Understanding (MOU) may be required by the City for any preliminary plat application request.

C. Procedure

1. Pre-Application Conference

Prior to filing an application for a preliminary plat, the applicant must attend a pre-application conference in accordance with Section 470.010B.

2. Development Review Committee and Other Agency Review

a. Upon receipt of a complete application, the Development Services Director will distribute copies of the preliminary plat and supportive information to the Development Review Committee. The application will be reviewed by the Development Review Committee for compliance with applicable regulations of this Code.

b. The Development Services Director will also distribute copies of the preliminary plat to the following governmental agencies, departments, and other persons as may be deemed appropriate for the particular proposed subdivision:

- (1) Fire District;
- (2) Police Department;
- (3) School District;
- (4) State Highway Department (if the subdivision is adjacent to a State Highway); and
- (5) any utility companies providing gas, electric or telephone service in or near the subdivision.

c. The agencies, departments and persons identified in this section will have a minimum of 10 working days to review the preliminary plat and to make their report and recommendations to the Planning and Zoning Commission.

d. If a report has not been returned to the office of the Development Services Director within 10 working days after receiving a plat for review, the proposed plat will be deemed to be in conformance with the laws, rules or policies of the reviewing agency or department.

3. Planning and Zoning Commission Public Hearing

All proposed preliminary plats must be submitted to the Planning and Zoning Commission for review and recommendation. The Planning and Zoning Commission will hold a public hearing on the application in accordance with Section 470.010E

4. Planning and Zoning Commission Recommendation

- a.** The Planning and Zoning Commission will consider the preliminary plat within 60 days of its receipt by the Development Services Director, or at the next regular meeting for which the plat may be scheduled.
- b.** The Planning and Zoning Commission will review and consider the reports and recommendations of the agencies, departments and persons to whom the preliminary plat has been submitted for review.
- c.** If the preliminary plat does comply with all requirements, the Planning and Zoning Commission will forward the application to the City Council with a recommendation of approval.
- d.** If the preliminary plat is in general, but not complete compliance, the Planning and Zoning Commission may recommend conditional acceptance of the preliminary plat. The conditions of such acceptance will specify the modifications necessary to achieve full compliance. The Planning and Zoning Commission will forward the application to the City Council with a recommendation of approval, subject to conditions.
- e.** If the preliminary plat is not in compliance with all requirements, the Planning and Zoning Commission will recommend disapproval of the preliminary plat. Within 10 days of its final action, the Planning and Zoning Commission must notify the subdivider in writing of the reasons for its recommendation for disapproval.
- f.** If the preliminary plat is not recommended for approval, the subdivider may modify the preliminary plat and re-submit it to the Planning and Zoning Commission. If the plat is amended and re-submitted within 60 days of the disapproval of the original preliminary plat, no additional filing fee will be required. The Planning and Zoning Commission may reconsider the preliminary plat at a regular meeting for which the plat may be scheduled by the Development Services Director.

5. City Council Public Hearing

The Raymore City Council must hold a public hearing on the application in accordance with Section 470.010E1b through d and E2.

6. City Council Action

- a.** The City Council must consider the request within 60 days of receipt of written recommendation of the Planning and Zoning Commission. Upon receipt of the recommendation of the Planning and Zoning Commission, the City Council must consider the application and may take final action to approve or disapprove it.
- b.** If final action is not taken by the City Council within 120 days after the recommendation of the Planning and Zoning Commission is submitted to it, the preliminary plat will be deemed to have been defeated and denied, unless the applicant has consented to an extension of this time period. Whenever a preliminary plat is defeated, either by vote of the City Council or by inaction described in this section, such preliminary plat cannot be passed without another public hearing that is noticed in accordance with this chapter.
- c.** If the City Council approves an application, it will adopt a resolution to that effect.

7. Findings of Fact

In its deliberation of a request, the Planning and Zoning Commission and City Council must make findings of fact taking into consideration the following:

- a. the preliminary plat will not adversely affect the appropriate use of neighboring property;
- b. the preliminary plat is in compliance with all applicable regulations of the Unified Development Code, Growth Management Plan, and other City regulations and plans;
- c. the preliminary plat will not impose undue burden upon existing public services and facilities; and
- d. the preliminary plat will make adequate provision to accommodate resulting additional demands which may be imposed upon roads and streets, water supply and storage, storm sewerage, sanitary sewerage, and wastewater treatment without substantially increasing public costs and expenditures.

8. Effect of Approval of Preliminary Plat

a. Approval of the preliminary plat does not constitute final acceptance of the subdivision by the City Council, but will be considered permission to prepare and submit a final plat. Preliminary plat approval will be effective for no more than one year from the date approval was granted unless:

- (1) a final plat application is submitted within one year of the date of preliminary plat approval;
- (2) upon the request of the subdivider, the City Council grants an extension; or
- (3) final plat applications are submitted in accordance with the requirements for staged development of final plats in accordance with Section 470.130E.

b. If preliminary plat approval expires, the preliminary plat must be re-submitted as if no such plat had ever been approved.

9. Extension of Preliminary Plat

An applicant must request that the City Council grant an extension of an approved preliminary plat prior to the expiration date of the preliminary plat. An extension of the preliminary plat can only be requested if it remains unchanged from last acceptance. A request for extension does not require submission of a new application fee or a public hearing

PREVIOUS PLANNING ACTIONS ON OR NEAR THE PROPERTY

1. The property was rezoned from "A" Agriculture District to "R-1" Single Family Residential District on October 13, 2003.
2. The original Preliminary Plat for The Estates at Knoll Creek was approved on October 13, 2003. There were three phases proposed for the subdivision, with 56 homes in Phase 1.
3. The final plat for Phase 1 was approved on May 10, 2004. All 56 lots have been developed.

4. The original Estates at Knoll Creek preliminary plat expired on May 10, 2006.

GOOD NEIGHBOR INFORMATIONAL MEETING COMMENTS

A Good Neighbor meeting was held on Wednesday October 27, 2021 in the Council Chambers and 15 people attended. Applicant Tyler Sallee and Project Engineer Dustin Burton and Jordan Williams also attended to make the presentation and answer questions and concerns. City Planner Dylan Eppert represented City staff. The comments below provide a summary of the meeting:

Tyler Sallee began the meeting by briefly explaining the project. The project is an extension of the existing Estates at Knoll Creek to the west. The plan is to split this development into Phase two and Phase three. All lots will conform to the standard "R-1" Single Family Residential District. There will be a range of builders doing ranch, two-story and split entry level homes.

Attendees had the following questions regarding the project:

- 1. What will the minimum square footage requirements be for the houses?**

Tyler Sallee- Minimum would be 1500 square feet for a ranch and 2400 square feet for a 2 story home.

- 2. What is the minimum lot size for the proposed subdivision?**

Tyler Sallee- 8400 square feet.

- 3. Would the existing residents in the 1st phase of Knoll Creek have access to the pond?**

Tyler Sallee: Yes, residents from both the 1st and 2nd plat would have access to the pond.

- 4. Will there be a walking trail around the pond?**

Tyler Sallee: Yes a walking trail would be constructed around the pond and would be available for both 1st and 2nd plat residents. .

- 5. There were questions regarding Home Owners Association (HOA)?**

Tyler Sallee: My preference is to have the HOA be a part of the current HOA and not have two separate HOA's in the same neighborhood.

- 6. What green space will be provided?**

Tyler Sallee: Most of the green space will be minor improvements to the pond (mostly on the east side), the walking trail and the BMP's that the City is requiring.

7. Who would be the owner of the pond?

Tyler Sallee: I (Tyler Sallee) would be the owner of the pond until a point in which he could deed the pond responsibility to the HOA.

8. Is there a plan to have a pool?

Tyler Sallee: There is not a plan to have a pool in this subdivision at all. Sallee did go into some detail explaining why, ultimately the cost would be too much for a subdivision of this size.

9. What assurance do we have that the access point proposed at the southeast corner will be constructed?

Dylan Eppert: There is not a whole lot of assurance that the proposed southeast access point will be connected as Alexander Creek would have to have their portion of the subdivision approved which may not be for some time. City Staff tries to plan for future development and with Tyler Sallee he owns this property and Alexander Creek, so City Staff came up with providing a road that would connect to Ward Rd to the east and Prairie Lane to the west. There are a number of subdivisions that only have one ingress/egress access. Alexander Creek for instance and they have 4 phases.

10. Does the Fire Code require the subdivision to have two ingress/egress access roads?

Dylan Eppert: Initially, I spoke and said yes but then was able to give examples of other subdivisions that have one ingress/egress road.

11. What builders will be doing work in this proposed 2nd Phase?

Tyler Sallee: The builders will be the same as the one's being used in Alexander Creek. Two of the proposed builders are Titan Construction and Elevate, Design + Build.

12. What will the price point be for the houses being built in this phase?

Tyler Sallee: \$400,000.

13. Again the pool was brought up and just wanted to make sure that there would be no pool?

Tyler Sallee: There are no plans to construct a pool.

Dylan Eppert: After checking through our records it does appear that a pool was originally proposed but was not something that was required by the City at the time and would have been solely on the developer to construct.

14. The Property Owner to the South of the development was concerned about flooding issues from the existing pond?

Tyler Sallee: Engineering is working on this portion and had Dustin Burton speak.

Dustin Burton: We are working with the City on BMP's and will follow city code.

15. Property owner to the south asked about the access point that leads directly into his property?

Tyler Sallee: Was not sure if they will even keep that access point.

Dylan Eppert: The preliminary plat that was approved back in 2004 shows that access point to existing (back then Neely Ln). It has been portrayed to the developer that City Staff is not supportive of removing the proposed Normandy Drive.

PARKS AND RECREATION BOARD RECOMMENDATION

In June of 2003, with the original preliminary plat for The Estates at Knoll Creek, the Parks and Recreation Board voted to give the developer a credit for recreational amenities planned in the proposed subdivision. Credit was given to 50% of the acreage in the tract on which the fishing ponds and trail were shown. The credit for amenities provided was in the amount of 7.366 Acres and the fee-in-lieu payment was in the amount of \$16,330. The requirements for Phase 1 were met.

On November 9, 2021, for the new Estates at Knoll Creek Preliminary Plat, the Parks and Recreation Board voted 7-0 to accept a fee-in-lieu of parkland dedication in the amount of \$80,256 which is to be paid at the time the Final Plat is recorded.

STAFF COMMENTS

1. The property has been zoned "R-1" Single-Family Residential District since October 13, 2003.
2. The subject property is located within the territorial area of the Cass County Public Water Supply District #3. The applicant is aware that the entire The Estates of Knoll Creek Subdivision will be served water by Water District #3.

3. Temporary cul-de-sacs will need to be constructed on the east end of Hall's Creek Ave; the southern end of Citadel Place; and at the southern end of Normandy Drive.
4. The uses permitted in the proposed R-1 district are as follows
:

Use	R-1	Use Standard
RESIDENTIAL USES		
Household Living		
Single-family Dwelling, Detached (conventional)	P	
Manufactured Home Residential – Design	S	Section 420.010D
Single-family Dwelling, Attached	–	Section 420.010A
Two-family Dwelling (Duplex)	–	
Multi-family Dwelling (3+ units)	–	Section 420.010A
Apartment Community	–	Section 420.010A
Cluster Residential Development	S	Section 420.010B
Manufactured Home Park	–	Section 420.010C
Employee Living Quarters	–	
Accessory Dwelling, Attached	S	Section 420.050E
Accessory Dwelling, Detached	S	Section 420.050E
Group Living		
Assisted Living	–	
Group Home	S	Section 420.010E
Nursing Care Facility	–	
Transitional Living	–	
Group Living Not Otherwise Classified	C	
PUBLIC AND CIVIC USES		
Cultural Exhibit or Library	C	
Government Buildings and Properties	C	
Place of Public Assembly	C	
Public Safety Services	C	
Religious Assembly	P	

Use	R-1	Use Standard
School	P	
Utilities		
Major	C	
Minor	P	
COMMERCIAL USES		
Animal Services		
Kennel	–	Section 420.030E
Day Care		
Day Care Home	S	Section 420.030C
Entertainment and Spectator Sports		
Indoor	–	
Outdoor	-	
Funeral and Interment Services		
Cemetery	C	
Funeral Home	–	
Lodging		

Bed and Breakfast	–	Section 420.030H
Medical Marijuana Cultivation Facility	–	Section 420.030N
Sports and Recreation, Participant		
Outdoor	C	
Indoor	–	
OTHER USES		
Accessory Uses	S	Section 420.050
Agricultural Uses		
Farming	–	
Boarding Stables and Riding Schools	–	Section 420.040A
Home Occupation	S	Section 420.040B
Parking		
Accessory Parking	P	
Wireless Communication Facility		Section 420.040C
Colocated	S	

5. The “R-1” district development standards are shown below:

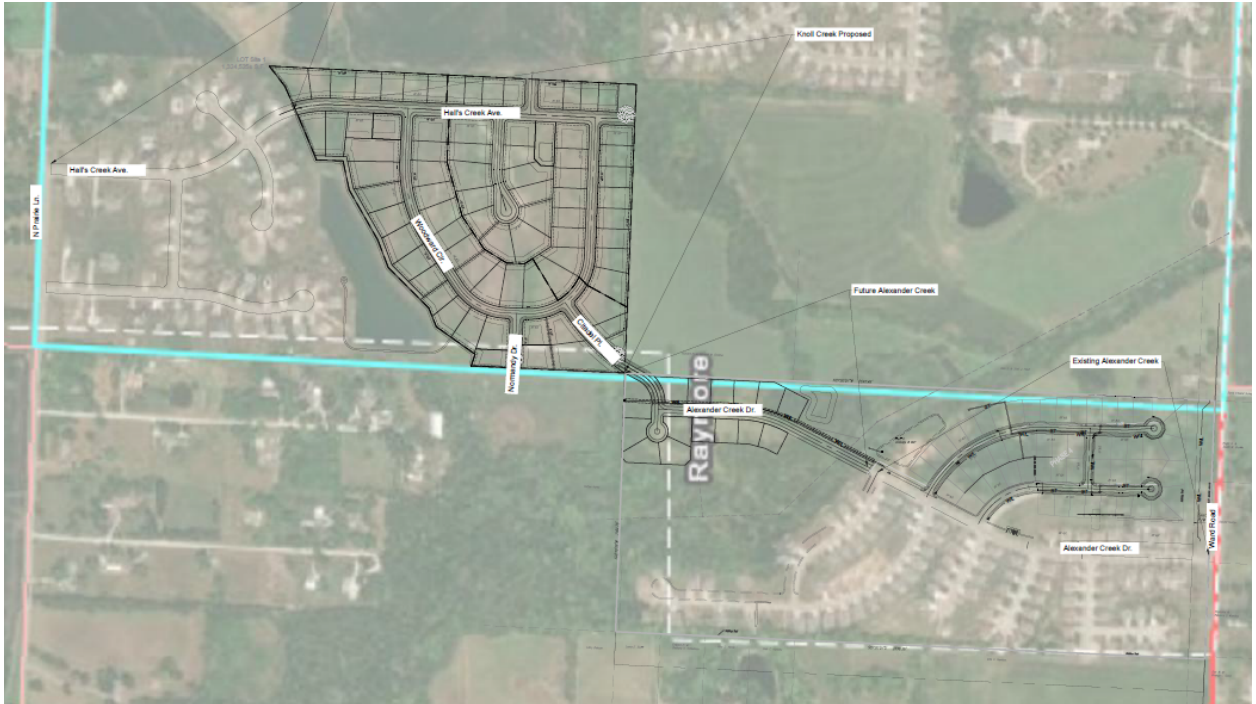
R-1	
Minimum Lot Area	
square feet	8,400 sq ft
Minimum Lot Width (feet)	70
Minimum Lot Depth (feet)	100
Yards, Minimum (feet)	
front	30
rear	30
side	10
Maximum Building Height (feet)	35
Maximum Building Coverage (%)	30

6. The preliminary plat request was submitted to the South Metropolitan Fire Protection District for review. Comments were as follows:
 - a. The Fire Marshal requests that the fire hydrant be located at lot 111.
 - b. The island in the “Tear Drop” style cul-de-sac will have pavers instead of grass.

7. Stormwater will be maintained through the pond located on the west side of the proposed subdivision with an existing overflow to the south of the subdivision. A Detention Area Agreement allows Phase 2 and Phase 3 of the subdivision to utilize the existing stormwater detention basin. The existing basin was designed and sized to handle the stormwater runoff from the entire subdivision.

8. The pond would be the responsibility of the applicant (Tyler Sallee) to maintain until such time the ponds are deeded over to the Home Owners Association. A maintenance agreement is required.

9. A Memorandum of Understanding (MOU) has been prepared that outlines the responsibilities of the developer.
10. A seven-foot (7') walking trail is to be constructed around the ponds as shown on the preliminary plat drawing. The trail will be required to be installed with the installation of public improvements for the first phase of the subdivision.
11. Citadel Place is designed to allow future connection to the extension of Alexander Creek Drive in the Alexander Creek Subdivision.



12. Craig's Glen Drive, Hall's Creek Drive, and Normandy Drive are all designed to allow for future extension onto adjacent undeveloped land. The UDC requires utility extensions to adjacent property coincident with the street extensions.

STAFF PROPOSED FINDINGS OF FACT

Under Section 470.110 of the Unified Development Code, the Planning and Zoning Commission and City Council is directed concerning its actions in dealing with a preliminary plat request. Under 470.110 (C) (7) the Planning and Zoning Commission and City Council is directed to make findings of fact taking into consideration the following:

1. **the preliminary plat will not adversely affect the appropriate use of neighboring property;**

The preliminary plat will not adversely affect the appropriate use of neighboring properties. The property has always been intended to be developed for single-family residential use.

2. the preliminary plat is in compliance with all applicable regulations of the Unified Development Code, Growth Management Plan, and other City regulations and plans;

The preliminary plat is in compliance with all applicable regulations of the Unified Development Code, Growth Management Plan, and other City regulations and plans. The proposed lots comply with the development standards for the underlying zoning district, and the proposed land uses are consistent with the Future Land Use Map adopted by the City.

3. the preliminary plat will not impose undue burden upon existing public services and facilities; and

The preliminary plat will not impose undue burden upon existing public services and facilities. Infrastructure to serve the property has been sized to meet the future demands for service to the property.

4. the preliminary plat will make adequate provision to accommodate resulting additional demands which may be imposed upon roads and streets, water supply and storage, storm sewerage, sanitary sewerage, and wastewater treatment without substantially increasing public costs and expenditures.

There is sufficient capacity in the water and sanitary sewer systems to support full development of the property. The road network was designed to accommodate full development of the property, or is being extended to serve the development.

REVIEW OF INFORMATION AND SCHEDULE

Action
Public Hearing

Planning Commission
November 16, 2021

City Council
December 13, 2021

STAFF RECOMMENDATION

City Staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and forward case #21036 The Estates at Knoll Creek Subdivision - Preliminary Plat to the City Council with a recommendation of approval, subject to the following condition:

1. Documentation shall be provided to the City prior to consideration of the preliminary plat by City Council of an agreement that the applicant (Tyler Sallee) has access rights to utilize the existing stormwater detention basin located upon Tract C of The Estates at Knoll Creek first plat.

PRELIMINARY PLAT THE ESTATES at KNOLL CREEK

A SUBDIVISION IN THE CITY OF RAYMORE, CASS COUNTY, MISSOURI



DESCRIPTION
Roughly the South 73.36 acres of the Southwest Quarter of Section 12, Township 46, Range 32, Cass County Missouri. Subject to easements, reservations and restrictions of record.

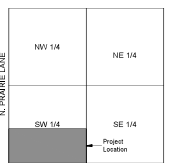
- General Provisions For Proposed Phases**
- Proposed Phases II & III Zoned R-1 for Single Family Residential use. No Rezoning proposed.
 - Gross area 36.85 acres.
 - Density shall not exceed 3.0 dwelling units per acre or a total of 110 dwelling units for the entire plan. No parcel or unit of the plan shall exceed a density of 3.3 units per acre for the individual parcel by more than twenty percent (20%).
 - Building coverage shall not exceed 30% of the net area of the Development by individual parcel or total development.
 - Phasing of the development shall be as shown.
 - Sanitary Sewer shall connect to the existing Interceptor Sewer. Sidewalks along all streets shall have sidewalks 5' in width both sides of street. Public streets and sidewalks shall follow Raymore Local Street Standards.
 - Private Yard drains and storm piping will be provided in the rear where lots abut each other. Private system will be maintained by the HOA and lot Owner.

Lot No.
Single Family Lots 132 (Lots 1 thru 132)
Phase I Lots 56 (Lots 1-56)
Phase II Lots 40 (Lots 57-76, 95-105, 126-132)
Phase III Lots 36 (Lots 73-94, 106-125)
Total Units 132

Net Residential Development Area = 62.63 ac.
Right of Way area = 10.73 ac.
Total Open Space = 8.36 ac.
Buffer area to be screened with berms & landscaping, trees etc.

Legal Description
All that part of the Southwest Quarter of Section 12, Township 46 North, Range 32 West, in the City of Raymore, Cass County, Missouri described by JED A.M. BAUGHMAN, MISSOURI K-5-201420705 of Renaissance Infrastructure Consulting as follows:

Commencing at the Southeast Corner of said Section 12; Thence North 87°17'37" West, along the South line of the Southeast Quarter of said Section 12, a distance of 2700.95 feet to the South Quarter Corner of said Section 12, said point being the Point of Beginning; thence North 87°21'58" West, along the South line of the Southwest Quarter of said Section 12, a distance of 702.36 feet to a point on the East line of THE ESTATES AT KNOLL CREEK, a subdivision in said Cass County, Missouri; thence along said East line for the following eleven courses: thence North 25°48'29" East, a distance of 58.31 feet; thence North 54°39'33" West, a distance of 217.52 feet; thence North 23°52'37" West, a distance of 93.42 feet; thence North 44°53'37" West, a distance of 263.18 feet; thence North 20°48'00" West, a distance of 134.15 feet; thence North 25°43'27" West, a distance of 263.88 feet; thence North 11°58'01" West, a distance of 155.21 feet; thence North 87°44'37" West, a distance of 121.28 feet; thence North 22°44'20" West, a distance of 224.53 feet; thence North 24°13'38" West, a distance of 141.49 feet; thence North 37°49'40" West, a distance of 116.37 feet to a point on the North line of the South Half of the Southwest Quarter of said Section 12; thence South 87°08'23" East, along said North line, a distance of 1683.24 feet to the Northeast Corner of said South Half; thence South 02°18'59" West, along the East line of said South Half, a distance of 1320.50 feet to the Point of Beginning, containing 1,605,250 square feet, or 36.85 acres, more or less.



LOCATION MAP
SECTION 12-746-R32
Scale 1" = 200'

Lot Dimension Table

a. Minimum Lot Area	10,466 SQ. FT.
b. Minimum Lot Depth	100 FT
c. Minimum Lot Width	70 FT
d. Yard Setbacks	FT
i. Front	30 FT
ii. Rear	30 FT
iii. Side	30 FT
e. Maximum Side Hgt.	35 FT
f. Maximum Blvd. Cover	30 %

LEGEND

	Existing Section Line		Proposed Right-of-Way
	Existing Right-of-Way Line		Proposed Property Line
	Existing Lot Line		Proposed Lot Line
	Existing Easement Line		Proposed Easement
	Existing Curb & Gutter		Proposed Curb & Gutter
	Existing Sidewalk		Proposed Sidewalk
	Existing Storm Sewer		Proposed Storm Sewer
	Existing Storm Structure		Proposed Storm Structure
	Existing Waterline		Proposed Fire Hydrant
	Existing Gas Main		Proposed Waterline
	Existing Sanitary Sewer		Proposed Sanitary Sewer
	Existing Sanitary Manhole		Proposed Sanitary Manhole
	Existing Contour Major		Proposed Contour Major
	Existing Contour Minor		Proposed Contour Minor
	Utility Easement		Future Curb and Gutter
	Sanitary Sewer Easement		Access Easement
	Drainage Easement		Temporary Easement

Preliminary Plat Documents
21-0222
The Estates at Knoll Creek
Raymore, Cass County, MO

Preliminary Plat

L 1188201 Residential Plat
1188201-0104-01-01
NO. DATE 20-05-21
DRAWN BY CNE-453 BY
ZM DB

Renaissance Infrastructure Consulting
1815 MOORE STREET, SUITE 200
KANSAS CITY, MISSOURI 64108
816.800.0950
www.ri-c.com



Sheet
C01



Memorandum of Understanding
for
The Estates at Knoll Creek

Legal Description Contained on Pages 2 & 3

**Between Sallee Real Estate Investments, LLC,
Grantor,**

and

**City of Raymore, Grantee
100 Municipal Circle
Raymore, MO 64083**

December 13, 2021

MEMORANDUM OF UNDERSTANDING

The Estates at Knoll Creek

THIS MEMORANDUM OF UNDERSTANDING ("MOU") FOR THE DEVELOPMENT OF THE ESTATES AT KNOLL CREEK SUBDIVISION is made and entered into this 13th day of December, 2021, by and between Sallee Real Estate Investments, LLC ("Sub-Divider") also being referred to herein as "Grantors"; and the City of Raymore, Missouri, a Municipal Corporation and Charter City under the laws of the State of Missouri ("City").

WHEREAS, Sub-Divider seeks to obtain approval from the City for a subdivision to be known as The Estates of Knoll Creek, proposed to be located in the City of Raymore, Cass County, Missouri, and;

WHEREAS, Sub-Divider agrees to assume all subdivision development obligations of the City as described in this agreement; and,

WHEREAS, the City desires to ensure that the Sub-Divider will accomplish certain things in order to protect the public's health, safety and welfare.

NOW, THEREFORE, in consideration of the promises and covenants herein set forth, and receipt by the City of fees and costs as stated herein, the parties agree as follows:

GEOGRAPHIC LOCATION:

The provisions of this MOU shall apply to the following described property:

All that part of the Southwest Quarter of Section 12, Township 46 North, Range 32 West, in the City of Raymore, Cass County, Missouri described by Jed A.M. Baughman, Missouri PLS-2014020708 of Renaissance Infrastructure Consulting as follows:

Commencing at the Southeast Corner of said Section 12;

Thence North 87° 17'57" West, along the South line of the Southeast Quarter of said Section 12, a distance of 2700.95 feet to the South Quarter Corner of said Section 12, said point being the Point of Beginning; thence North 87°21'58" West, along the South line of the Southwest Quarter of said Section 12, a distance of 702.36 feet to a point on the East line of THE ESTATES AT KNOLL CREEK, a subdivision in said Cass County, Missouri;

thence along said East line for the following eleven courses:

thence North 18°48'29" East, a distance of 56.31 feet;
thence North 54°39'33" West, a distance of 217.52 feet;
thence North 21°55'22" West, a distance of 91.42 feet;
thence North 44°54'37" West, a distance of 263.18 feet;
thence North 20°48'00" West, a distance of 134.15 feet;
thence North 29°43'27" West, a distance of 263.88 feet;
thence North 11°56'01" West, a distance of 135.21 feet;
thence North 87°44'17" West, a distance of 121.28 feet;
thence North 22°44'20" West, a distance of 224.51 feet;
thence North 24°13'33" West, a distance of 142.40 feet;

*The Estates at Knoll Creek
Memorandum of Understanding*

thence North 37°43'40" West, a distance of 116.37 feet to a point on the North line of the South Half of the Southwest Quarter of said Section 12;
 thence South 87°08'32" East, along said North line, a distance of 1680.34 feet to the Northeast Corner of said South Half;
 thence South 02°18'59" West, along the East line of said South half, a distance of 1320.50 feet to the Point of Beginning,
 containing 1,605,250 square feet, or 36.851 acres, more or less.

PRELIMINARY DEVELOPMENT PLAN

1. Sub-Divider intends to develop the entire property as a Single-Family Community in the manner shown on the Preliminary Plat, attached and incorporated herein as Exhibit A.

2. Zoning and Land Use

a. The zoning for the entire Property shall be "R-1" Single-Family Residential District.

b. Land Use

1. Detached Single Family Dwellings, as defined by Section 485.010 of the Unified Development Code shall be permitted on all lots, subject to compliance with any special conditions.

2. Accessory uses, as defined by Section 485.010 of the Unified Development Code, shall be permitted on all lots, subject to compliance with any special conditions and any covenants and restrictions of the subdivision.

3. Bulk and Dimensional Standards Table:

The following bulk and dimensional standards are established for each lot in the development:

Minimum Lot Area	8,400 sq. ft.
Minimum Lot Width	70 feet
Minimum Lot Depth	100 feet
Minimum Front Yard	30 feet
Minimum Rear Yard	30 feet

Minimum Side Yard	10 feet
Minimum Side Yard, exterior	30 feet
Maximum Building Height	35 feet
Maximum Building Coverage	30%

4. Common Open Space and Amenities

- a. Common open space and subdivision amenities shall be provided in accordance with the approved Preliminary Plat.
- b. The following amenities are provided in the Preliminary Plat:
 - i. Walking trails
 - ii. Stormwater control/treatment
 - iii. Rain Gardens
 - iv. Vegetated Filter Strip
 - v. Decorative Pavers in cul-de-sac

5. Landscaping & Screening

- a. One yard tree shall be provided for each dwelling unit in the front yard of each dwelling unit. For corner lots, one yard tree is required per street frontage.
- b. All required landscaping shall comply with Chapter 430 of the Unified Development Code.

6. Parking

- a. Off-street Parking shall be provided for each home as follows:

Use	Minimum Parking Spaces Required
Single Family Dwelling	2 spaces per dwelling unit

PHASING SCHEDULE

- 1. The Preliminary Plat is being approved with a defined phasing plan.

FINAL PLATS

1. Sub-Divider may submit final plats and associated construction drawings to the City in phases.
2. Each final plat must comply with the bulk and dimensional standards included in this MOU.
3. Final plats shall be submitted in accordance with the Unified Development Code.
4. A final plat application shall be submitted within two years of the date of approval of the Preliminary Plat or the Preliminary Plat becomes null and void.

PARKLAND DEDICATION

1. Based upon 76 lots, a total of 4.0128 acres of park land is required to be dedicated.
2. The Sub-Divider requested the City accept a fee-in-lieu payment for the park land dedication. The Parks and Recreation Board recommended to the City Council that the City accept the calculated fee-in-lieu payment of \$80,256. The fee-in-lieu payment shall be made at the time of recording of a final plat for the number of lots included in the recorded phase of the final plat.

TRANSPORTATION IMPROVEMENTS

1. Road Improvements

- a. Hall's Creek Avenue shall be constructed as a collector road with a sixty-foot (60') right-of-way. All other roads shall be constructed as local roads with a fifty foot (50') right-of-way.
- b. Prairie Lane is designated as a Major Collector. Improvements on Prairie Lane, including the provision of right-turn lanes into the subdivision, were provided as part of the first phase. No additional off-site road improvements are required.
- c. The internal roadways serving the development shall be built to City standards to be accepted by the City. Once the roadways are

accepted, the City will assume maintenance responsibilities of the roadways.

- d. Temporary cul-de-sacs shall be constructed at the eastern end of Hall's Creek Avenue; at the southern end of Normandy Drive; and at the southern end of Citadel Place.
- e. If the subdivision is constructed in phases, a temporary cul-de-sac shall be constructed at the end of the road segment. Under the submitted phasing plan, a temporary cul-de-sac is required to be constructed at the eastern end of Lot 105 on Hall's Creek Avenue and at the eastern end of Lot 94 on Woodward Circle.

2. Pedestrian Improvements

- a. A seven-foot (7') trail is required along the east side of the pond located in Tract C and a portion of the west side of the pond located in Tract C, as illustrated on the Preliminary Plat. The trail will connect to the sidewalk on Hall's Creek Avenue and the sidewalk on Normandy Drive. The trail shall also extend to the west side of the pond as illustrated on the Preliminary Plat. The trail shall be constructed as part of the installation of public improvements for the 1st phase of the subdivision.
- b. A five foot (5') sidewalk is required along both sides of Hall's Creek Avenue within Tract "B" and Tract "C" of the 1st Phase of The Estates at Knoll Creek. The sidewalk shall extend from the eastern edge of the existing sidewalk upon lots 23 and 24 and extend to the west edge of Lots 57 and 132 in Phase 2. These sidewalk segments shall be constructed with the 1st phase of the subdivision.
- c. A five-foot (5') sidewalk is required along the south side of Hall's Creek Avenue on Tract E. This sidewalk segment shall be installed prior to the issuance of a Certificate of Occupancy for a residence on either Lot 117 or Lot 87.
- d. A five-foot (5') sidewalk is required along the north side of Hall's Creek Avenue on Tract F. This sidewalk segment shall be installed prior to the issuance of a Certificate of Occupancy for a residence on Lot 118.
- e. A five-foot (5') sidewalk is required along the east side of Citadel Place on Tract G. This sidewalk segment shall be installed prior to

the issuance of a Certificate of Occupancy for a residence on Lot 77.

- f. A five foot (5') sidewalk is required on all lots within the subdivision, and shall be constructed prior to the issuance of a Certificate of Occupancy for the residence on the lot.

3. Street Lights

- a. A street light plan shall be submitted by the Sub-Divider as part of the public infrastructure plans for each final plat phase that is constructed.
- b. All street lights in the final plat phase shall be fully operational prior to City Council acceptance of the public improvements for the final plat phase.

SANITARY SEWER IMPROVEMENTS

1. Sanitary sewer service shall be provided to each lot by the Sub-Divider. A sanitary sewer line shall extend to the exterior perimeter property line of the development to provide service to adjacent properties.
2. All public improvements shall be installed in accordance with City standards. Before the installation of any sanitary sewer system improvements, the Sub-Divider shall have the engineering plans approved by the MoDNR and the City of Raymore.
3. The sanitary sewer shall be of sufficient size and depth to serve the tributary area identified in the City's Comprehensive Sewer Plan.
4. The Sub-Divider agrees to pay any applicable sewer connection fees and rate charges.
5. All improvements must be approved by the City, constructed to City standards, and inspected by the City; and the Sub-Divider agrees to dedicate easements to the City in compliance with City standards for utility easements.

WATER MAIN IMPROVEMENTS

1. The development is located within the territorial area of the Cass County Public Water Supply District #3 and shall be served by the district.
2. All improvements to the water service system shall comply with the requirements of the Water District, the City of Raymore and with the requirements of the South Metropolitan Fire Protection District.

STORMWATER IMPROVEMENTS

1. On-site stormwater management shall be completed in accordance with the stormwater management study approved as part of the Preliminary Plat.
2. A final stormwater management plan is required to be submitted at the time public improvement construction plans are submitted for all the land area contained within the final plat phase.
3. Stormwater management infrastructure shall be installed and operational prior to the issuance of a Certificate of Occupancy for any residence in the final plat phase.
4. Storm Water Quality BMPs shall be incorporated into the stormwater management plan in accordance with Chapter 450 of the Unified Development Code.
5. A Stormwater Maintenance Agreement shall be submitted addressing the perpetual maintenance of all stormwater management infrastructure.

OPEN SPACE AND AMENITIES

1. Private open space and amenities shall be provided in accordance with the approved Preliminary Plat. All privately owned open space, common areas, or amenities shall be constructed and maintained by the Sub-Divider.
2. The following amenities were provided in the Preliminary Plat:
 - a. Walking trails
 - b. Stormwater control/treatment
 - c. Rain Gardens
 - d. Vegetated Filter Strip

- e. **Decorative Pavers in cul-de-sac**
3. Prior to the full build-out of the subdivision, all amenities shown on the Preliminary Plat shall be constructed. Throughout the development process, amenities shall be constructed in accordance with the following phasing schedule:
- a. **Walking Trail in Tract C** - Shall be constructed with the public improvements in Phase 1.
 - b. **Vegetative Filter Strip in Tract D** - Shall be constructed with the public improvements in Phase 1.
 - c. **Rain Gardens** - Shall be constructed with the public improvements for the phase(s) of the development that contains the rain garden areas.
 - d. **Decorative Pavers** - Shall be constructed with the public improvements that include Jeanblanch Court.

SIGNAGE

1. Subdivision entrance markers are permitted for the subdivision in accordance with Chapter 435 of the Unified Development Code.

FLOODPLAIN

1. No portion of any platted lot shall encroach in the Federal Emergency Management Agency (FEMA) floodplain or the 100-year flood elevation for areas not identified as special flood hazard areas. Common area tracts are allowed to encroach into the floodplain.
2. No land disturbance activities or removal of any trees shall occur within the floodplain area except for:
- a. work to install the necessary outlet structures for the stormwater detention facilities; or
 - b. work necessary for implementation of any stream enhancements required as part of the stream assessment for development.
3. Construction fencing or a similar barrier shall be installed to discourage construction equipment and activity from occurring within the floodplain

area and to provide protection for existing tree canopy.

SOUTH METROPOLITAN FIRE PROTECTION DISTRICT

1. All requirements of the Fire Code adopted by the South Metropolitan Fire Protection District shall be complied with.

CASS COUNTY PUBLIC WATER SUPPLY DISTRICT #3

1. The subdivision is located within the territorial boundaries of the Cass County Public Water Supply District #3.
2. All City of Raymore requirements, and South Metropolitan Fire Protection District requirements, for hydrant placement, fire protection, water volume available, and water pressure, shall be complied with.

STREET NAMES AND ADDRESSING

1. The City Addressing and Street Naming Policy shall be followed for the assignment of any street name on a final plat and for the assignment of addresses issued for all residences in the subdivision. The City is solely responsible for the final designation of street names and addresses.
2. The street names included on the Preliminary Plat have been pre-approved by the City and are being reserved for use within the subdivision.
3. Official street names shall be finalized as part of the final plat review and recording process. The City shall verify and approve the final use of any street name placed upon a final plat prior to recording.

INSTALLATION AND MAINTENANCE OF PUBLIC IMPROVEMENTS

1. Before the installation of any improvements or the issuance of building permits for a Platted Area, Sub-Divider shall have all engineering plans approved by the City of Raymore.
2. Prior to the issuance of building permits, the Sub-divider shall install all public Improvements as shown on approved engineering plans of said

subdivision and the City Council shall have accepted by Resolution all public Improvements.

3. The Sub-Divider shall be responsible for the installation and maintenance of all improvements as shown on the approved engineering plans of the subdivision for a period of two years after acceptance by the City, in accordance with the City specifications and policies. Said plans shall be on file with the City and shall reflect the development of said subdivision. Said plans shall include but are not exclusive to the sanitary sewer system, storm drainage system and channel improvements, erosion control, MBF elevations and water distribution systems.
4. The Sub-Divider shall be responsible for the installation of all improvements in accordance with the approved engineering plans. The Sub-Divider hereby agrees to indemnify and hold harmless the City and its past, present and future employees, officers and agents from any and all claims arising from the construction of the improvements located on Sub-Divider's property or from the City's inspection or lack of inspection of the plans, specifications and construction relating to the improvements to be placed on the Sub-Divider's property. Sub-Divider hereby agrees to pay to the City all damages, costs and reasonable attorney's fees incurred by the City and its employees, officers and agents in defending said claims.

FEES, BONDS AND INSURANCE

1. The Sub-Divider agrees to pay to the City a one percent (1%) Plan Review Fee and five percent (5%) Construction Inspection Fee based on the contract development costs of all public improvements as shown on approved engineering plans of said subdivision. The City Engineer shall review and determine the reasonableness of all costs, as presented.
2. The Sub-Divider agrees to pay the cost of providing streetlights in accordance with the approved street light plan. Once streetlights are accepted by the City as part of infrastructure acceptance, the City will assume maintenance responsibility for the lights.
3. The Sub-Divider agrees to pay the City a \$9 per acre fee for the placement and maintenance of outdoor warning sirens.
4. Per Ordinance #20004, the license (excise) tax for building contractors will be charged at the time of building permits at the applicable rate at the time each building permit application is approved.

GENERAL PROVISIONS

1. The parties agree that execution of this agreement in no way constitutes a waiver of any requirements of applicable City ordinances with which Sub-Divider must comply and does not in any way constitute prior approval of any future proposal for development.
2. The covenants contained herein shall run with the land described in this agreement and shall be binding and inure to the benefit of the parties hereto and their successors or assigns and on any future and subsequent purchasers of the property.
3. This agreement shall constitute the complete agreement between the parties and any modification hereof shall be in writing, subject to the approval of the parties.
4. If, at any time, any part hereof has been breached by Sub-Divider, the City may withhold approval of any or all building permits, or suspend or revoke any issued permits, applied for in the development, until the breach or breaches has or have been cured to the satisfaction of the City.
5. This agreement shall be recorded by the City and its covenants shall run with the land and shall bind the parties, their successors and assigns, in interest and title.
6. Any provision of this agreement which is not enforceable according to law will be severed heretofore and the remaining provisions shall be enforced to the fullest extent permitted by law. The terms of this agreement shall be construed and interpreted according to the laws of the State of Missouri. Venue for any dispute arising from, or interpretation of this agreement shall be in the Circuit Court of Cass County, Missouri.
7. The undersigned represent that they each have the authority and capacity from the respective parties to execute this Agreement. This Agreement shall not be effective until approved by ordinance duly enacted by the City Council of the City of Raymore, Missouri.
8. Whenever in this agreement it shall be required or permitted that notice or demand be given or served by either party to this agreement to or on the other party, such notice or demand shall be delivered personally or mailed by First Class United States mail to the addresses hereinafter set forth. Such notice or demand shall be deemed timely given when delivered personally or when deposited in the mail in accordance with the above.

If to the City, at:

City Manager
100 Municipal Circle
Raymore, MO 64083

If to Sallee Real Estate Investments,
LLC. at:

Tyler Sallee
PO Box 6437
Lee's Summit, MO 64064

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first written above.

(SEAL)

THE CITY OF RAYMORE, MISSOURI

Jim Feuerborn, City Manager

Attest:

Erica Hill, City Clerk

Sub-Divider – Signature

Printed Name

Sub-Divider – Signature

Printed Name

Subscribed and sworn to me on this
the _____ day of _____ 20__
in the County of _____,
State of _____.

Stamp:

Notary Public: _____ My Commission Expires: _____

MONTHLY REPORT

October 2021

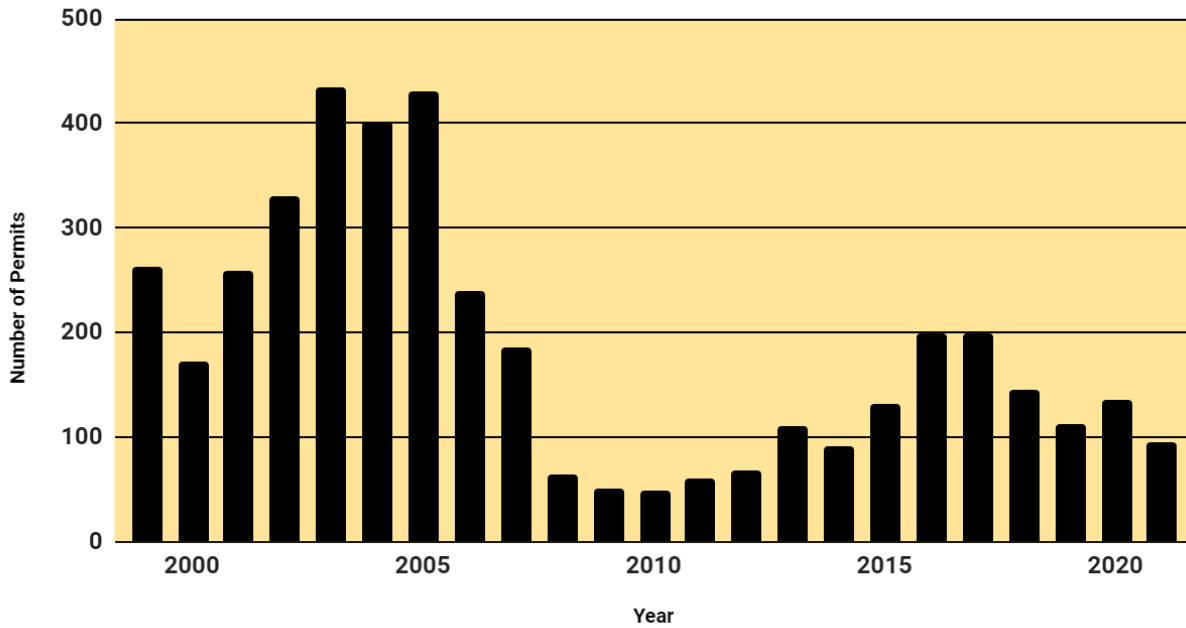
Building Permit Activity

Type of Permit	Oct 2021	2021 YTD	2020 YTD	2020 Total
Detached Single-Family Residential	3	96	102	136
Attached Single-Family Residential	0	32	14	22
Multi-Family Residential	0	0	396	396
Miscellaneous Residential (deck; roof)	62	499	1,110	1,240
Commercial - New, Additions, Alterations	3	32	11	13
Sign Permits	1	25	26	37
Inspections	Oct 2021	2021 YTD	2020 YTD	2020 Total
Total # of Inspections	301	3,373	3,817	4,447
Valuation	Oct 2021	2021 YTD	2020 YTD	2020 Total
Total Residential Permit Valuation	\$857,900	\$31,172,500	\$30,336,800	\$40,314,600
Total Commercial Permit Valuation	\$420,000	\$38,728,180	\$46,019,500	\$46,094,200

Additional Building Activity:

- Site work continues for The Venue of The Good Ranch townhome development.
- Tenant finish work continues for the Heartland Dental Office building in the Raymore Marketplace.
- Building construction continues on the South Town Storage facility, a covered parking area for RV's and similar vehicles
- Site work has commenced for Alexander Creek Third Plat.
- Site work has commenced for Eastbrooke at Creekmoor 2nd and 3rd Plat
- Site work continues on Oak Ridge Farms
- Building permit was issued for the South Metropolitan Fire Protection District administration building.
- Construction has commenced on the townhome units in Sunset Plaza, located east of Sunset Lane and south of 58 Highway
- Construction has commenced on Building 3 in the Raymore Commerce Center
- Tenant finish work commenced for Buff City Soap to locate at 2007 W. Foxwood Drive
- Tenant finish work commenced for Wing Stop to locate at 1941 W. Foxwood Drive
- Tenant finish work commenced for Salon 319 to locate at 319 Municipal Circle

Single Family Building Permits



Code Enforcement Activity

Code Activity	Octt 2021	2021 YTD	2020 YTD	2020 Total
Code Enforcement Cases Opened	60	405	528	565
<i>Notices Mailed</i>				
-Tall Grass/Weeds	1	85	96	96
- Inoperable Vehicles	19	154	165	185
- Junk/Trash/Debris in Yard	12	79	82	92
- Object placed in right-of-way	1	5	6	6
- Parking of vehicles in front yard	6	36	18	20
- Exterior home maintenance	11	48	43	43
- Other (trash at curb early; signs; etc)	0	4	5	6
Properties mowed by City Contractor	3	42	72	73
Abatement of violations (silt fence repaired; trees removed; stagnant pools emptied; debris removed)	0	1	2	3
Signs in right-of-way removed	66	422	429	460
Violations abated by Code Officer	10	67	129	133

Development Activity

Current Projects

- Madison Valley Phase 2 Preliminary Plat
- Stegmaier Acres Replat Lot 2
- Eastbrooke at Creekmoor 3rd Final Plat
- Knoll Creek Preliminary Plat
- Sendera First and Second Final Plat
- Timber Trails Mixed Use Development Preliminary Plan
- Brown Event Center Conditional Use Permit
- LeMor Estates Rezoning Lots 7 & 10, R-1 to R-2

	As of Oct. 31, 2021	As of Oct. 31, 2020	As of Oct. 31, 2019
Homes currently under construction	458 (252 units at Lofts of Foxridge)	546 (396 units at Lofts of Foxridge)	146
Total number of Undeveloped Lots Available (site ready for issuance of a permit for a new home)	183	302	349
Total number of dwelling units in City	9,034	8,783	8,641

Actions of Boards, Commission, and City Council

City Council

October 11, 2021

- Approved on 2nd reading the rezoning for Madison Valley Phase 2
- Continued the Preliminary Plat for Madison Valley Phase 2
- Approved on 2nd reading the Alexander Creek Third Final Plat
- Confirmed that the City will install sidewalk upon 3 undeveloped lots

October 25, 2021

- Approved the 7th amendment to the Creekmoor MOU
- Approved on 1st reading the Eastbrooke at Creekmoor Third Final Plat
- Approved on 1st reading the Replat of Lot 2 of Stegmaier Acres
- Approved on 1st reading the establishment of new Ward Boundaries
- Approved the 2022-2026 Capital Improvement Program

Planning and Zoning Commission

October 5, 2021

- Recommended approval of the 2022-2026 Capital Improvement Program
- Continued the Hawk Ridge Park West Site Plan to Oct. 19

October 19, 2021

- Recommended approval of the Eastbrooke at Creekmoor 3rd Final Plat
- Recommended approval of the Replat of Stegmaier Acres Lot 2
- Approved the Hawk Ridge Park West Site Plan
- Recommended approval of the 7th amendment to the Creekmoor MOU
- Continued the 34th amendment to the UDC to Nov. 16

Board of Adjustment**October 19, 2021**

- Approved a variance to the side yard setback for 415 S. Adams Street

Upcoming Meetings – November & December**November 2, 2021 Planning and Zoning Commission**

- Meeting Cancelled

November 8, 2021 City Council

- 2nd reading - Stegmaier Acres Lot 2 Replat
- 2nd reading - Eastbrooke at Creekmoor 3rd final plat

November 16, 2021 Board of Adjustment

- 513 Regina Court - variance to rear yard setback (public hearing)

November 16, 2021 Planning and Zoning Commission

- Knoll Creek Preliminary Plat (public hearing)
- LeMor Estates Lots 7 & 10 Rezoning, R-1 to R-2 (public hearing)
- 34th Amendment to the UDC

November 22, 2021 City Council

- 1st reading - 34th amendment to the Unified Development Code (public hearing)
- 1st reading - LeMor Estates Rezoning (public hearing)
- Madison Valley Preliminary Plat

December 7, 2021 Planning and Zoning Commission

- Brown Event Center Conditional Use Permit, 16119 Kentucky Road (public hearing)
- Sendera First Final Plat
- Sendera Second Final Plat
- Watermark Site Plan

December 13, 2021 City Council

- 1st reading - Sendera First Final Plat
- 1st reading - Sendera Second Final Plat
- 2nd reading - 34th amendment to the UDC
- 2nd reading - LeMor Estates Rezoning
- Knoll Creek Preliminary Plat (public hearing)

December 20, 2021 City Council

- 2nd reading - Sendera First Final Plat
- 2nd reading - Sendera Second Final Plat
- 1st reading - Brown Event Center Conditional Use Permit (public hearing)

December 21, 2021 Planning and Zoning Commission

- No applications currently filed

Department Activities

- GIS Coordinator Heather Eisenbarth virtually attended Autodesk University sessions this week.
- City Planner Dylan Eppert attended International Code Council training.
- Economic Development Director David Gress and City Planner Dylan Eppert held a development meeting to discuss various mixed-use development opportunities within the City.
- Economic Development Director David Gress participated in a virtual webinar panel hosted by Mid-America Regional Council titled "Creating Great Places for All Ages" to showcase the City of Raymore's work in the [Community for All Ages program](#).
- Economic Development Director David Gress participated in the [grand opening ribbon cutting for the Community America Credit Union](#) facility located at 1400 W. Foxwood Dr.
- Tenant finish plans were approved for Buff City Soap to locate a store at 2007 W. Foxwood Drive, Suite E.
- A Good Neighbor meeting was held on Wednesday, Oct. 27 at 6:30 p.m. at City Hall for the proposed Phase 2 of the [Knoll Creek](#) Subdivision.
- Jake Loveless, representing Griffin Riley Property Group, LLC. filed a request to reclassify the zoning of 22 acres located at the northwest corner of Dean Avenue and Johnston Drive in the Timber Trails Subdivision from "R-3AP" Multiple-Family Residential Planned District to "PUD" Planned Unit Development to allow for a [mixed use development](#) including commercial and residential (apartment) uses. A Good Neighbor meeting is scheduled for Wednesday, Nov. 10 at 6:30 p.m. at City Hall.
- Keith Wehmeir, representing Harper Building LLC, filed a request to reclassify the zoning of Lot 7 and Lot 10 in the [LeMor Estates](#) subdivision from "R-1" Single-Family Residential District to "R-2" Single and Two-Family Residential District to allow for two-family structures to be built on the lots. The Planning and Zoning Commission will consider the request on Nov. 16.
- Clayton Properties Group Inc. filed final plat applications for the [Sendera](#) First and Second Plats. Sendera is a new subdivision to be located on the south

side of Hubach Hill Road, east of Brook Parkway. The Planning and Zoning Commission will consider the request on Nov. 16.

- Economic Development Director David Gress participated in a planning meeting for the [2021 Career Expo](#), hosted by Mid America Regional Council.
- City Planner, Dylan Eppert conducted a site visit located at 16119 Kentucky Rd. for a conditional use permit for an event center.
- City Planner, Dylan Eppert facilitated a good Neighbor meeting for The Estates at Knoll Creek.

GIS Activities

- Update of dashboards reporting fiscal year statistics
- Information as requested - elevation, etc
- Software maintenance & monitoring
- Processing of digital applications as requested
- Update of base mapping & regulatory features
- Addressing operations as required
- Improvement of data schema as required
- QA/QC of enterprise database operations, feature datasets and attribution
- SOC tuning in support of web mapping applications
- Printing of cartographic output