

AGENDA

Raymore City Council Regular Meeting
City Hall – 100 Municipal Circle
Monday, December 13, 2021
7:00 p.m.

1. Call to Order.

2. Roll Call.

3. Pledge of Allegiance.

4. Presentations/Awards.

- Proclamation - Retirement of Raymore Chamber of Commerce Executive Director Cherie Turney (pg 137)
- Loren Jones, Raymore Arts Commission Chair

5. Personal Appearances.

6. Staff Reports.

- A. Development Services (pg 9)
- B. Monthly Court Report (pg 15)
- C. City Clerk
- D. Police/Emergency Management

7. Committee Reports.

8. Consent Agenda.

The items on the Consent Agenda are approved by a single action of the City Council. If any Councilmember would like to have an item removed from the Consent Agenda and considered separately, they may so request.

- A. City Council Minutes, November 22, 2021 (pg 19)
- B. Planning and Zoning Commission Re-appointment of Kelly Fizer

Reference: - Resolution 21-45 (pg 27)

Mayor Turnbow has re-appointed Kelly Fizer, a Ward 1 representative, to the Planning and Zoning Commission. The appointment is now before the City Council for approval.

C. Planning and Zoning Commission Re-appointment of Mario Urquilla

Reference: - Resolution 21-46 (pg 29)

Mayor Turnbow has re-appointed Mario Urquilla, a Ward 2 representative, to the Planning and Zoning Commission. The appointment is now before the City Council for approval.

D. Board of Adjustment Re-appointment of Terri Woods

Reference: - Resolution 21-47 (pg 31)

Mayor Turnbow has re-appointed Terri Woods to the Board of Adjustment. The appointment is now before the City Council for approval.

E. Board of Adjustment Re-appointment of Ben Bailey

Reference: - Resolution 21-48 (pg 33)

Mayor Turnbow has re-appointed Ben Bailey to the Board of Adjustment. The appointment is now before the City Council for approval.

F. Board of Adjustment Re-appointment of Aaron Harrison

Reference: - Resolution 21-49 (pg 35)

Mayor Turnbow has re-appointed Aaron Harrison to the Board of Adjustment. The appointment is now before the City Council for approval.

G. Arts Commission Appointment of Randee Krumwiede

Reference: - Resolution 21-50 (pg 37)
- Volunteer Application (pg 38)

Mayor Turnbow has appointed Randee Krumwiede, an at-large representative, to the Arts Commission. The appointment is now before the City Council for approval.

H. Park Board Appointment of Daniel Mapes

Reference: - Resolution 21-51 (pg 39)
- Volunteer Application (pg 40)

Mayor Turnbow has appointed Daniel Mapes, a Ward 1 representative, to the Park Board. The appointment is now before the City Council for approval.

7. Unfinished Business. Second Reading.

A. LeMor Estates Lots 7 & 10 Rezoning

Reference: - Agenda Item Information Sheet (pg 43)
- Bill 3669 (pg 45)
- Staff Report (pg 47)

Keith Wehmeir, representing Harper Building LLC, is requesting to reclassify the zoning of LeMor Estates Lots 7 and 10 from R-1P Single-Family Residential Planned District to R-2P Single and Two-Family Residential Planned District.

- City Council, 11/22/2021: Approved 8-0
- Planning and Zoning Commission, 11/16/2021: Approved 9-0

B. 34th Amendment to the Unified Development Code

Reference: - Agenda Item Information Sheet (pg 55)
- Bill 3670 (pg 57)
- Staff Report (pg 64)

The 34th Amendment to the Unified Development Code proposes to incorporate changes discussed by the Planning & Zoning Commission as part of the annual review of the UDC.

- City Council, 11/22/2021: Approved 8-0
- Planning and Zoning Commission, 11/16/2021: Approved 9-0

C. Watermark Rezoning - Correction of Legal Description

Reference: - Agenda Item Information Sheet (pg 69)
- Bill 3671 (pg 71)
- Rezoning Map (pg 74)

Bill 3643 approved the reclassification of zoning of property for the proposed Watermark Apartment Community. The legal description of the property was not inclusive of all of the land proposed to be rezoned. Bill 3671 incorporates the correct legal description for the rezoning.

- City Council, 11/22/2021: Approved 8-0

8. New Business. First Reading.

A. The Estates at Knoll Creek Preliminary Plat (public hearing)

- Reference: - Agenda Item Information Sheet (pg 77)
- Resolution 21-43 (pg 79)
- Staff Report (pg 80)
- Memorandum of Understanding (pg 94)
- Planning Commission minutes excerpt (pg 109)
- Preliminary Plat (pg 113)

Tyler Sallee, representing Sallee Real Estate Investments LLC, is requesting preliminary plat approval for phase 2 of The Estates at Knoll Creek, a 76-lot single family subdivision.

- | |
|--|
| <ul style="list-style-type: none">• Planning and Zoning Commission, 12/7/2021: |
|--|

B. Calling for April 5, 2022 Municipal Election

- Reference: - Agenda Item Information Sheet (pg 115)
- Bill 3672 (pg 117)

The Raymore City Charter, Section 9.1, states that the regular Municipal Election shall be held on the first Tuesday after the first Monday in April, or such day as may be mandated by State law. This Bill calls for the next municipal election to be held on April 5, 2022. Candidate filing begins Dec. 21, 2021 and ends on Jan. 18, 2022. Positions for Mayor (at large) will be open to serve a three-year term, City Council seats in each of the four wards will be open to serve a two year term, and one seat in Ward 1 will be open to serve a one year term.

C. Contract for Real Estate Purchase

- Reference: - Agenda Item Information Sheet (pg 119)
- Bill 3673 (pg 121)
- Contract (pg 124)
- Location Map (pg 133)

Before the City Council is a real estate contract for the City to purchase two tracts of land comprising 10.85 acres located on the east side of North Madison Street, north of Pine Street.

11. Public Comments. Please identify yourself for the record and keep comments to a maximum of five minutes.

12. Mayor/Council Communication.

13. Adjournment.

Items provided under "Miscellaneous" in the Council Packet:

- City Council Work Session notes, 12/06/2021 (pg 139)
 - Planning and Zoning Commission minutes, 11/16/2021 (pg 141)
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EXECUTIVE SESSION (CLOSED MEETING)

The Raymore City Council is scheduled to enter into executive session to discuss personnel matters as authorized by RSMo 610.021 (3).

The Raymore City Council may enter an executive session before or during this meeting, if such action is approved by a majority of Council present, with a quorum, to discuss:

- Litigation matters as authorized by § 610.021 (1),
- Real Estate acquisition matters as authorized by § 610.021 (2),
- Personnel matters as authorized by § 610.021 (3),
- Other matters as authorized by § 610.021 (4-21) as may be applicable.

Any person requiring special accommodation (i.e., qualified interpreter, large print, hearing assistance) in order to attend this meeting, please notify this office at (816) 331-3324 no later than forty eight (48) hours prior to the scheduled commencement of the meeting.

Hearing aids are available for this meeting for the hearing impaired. Inquire with the City Clerk, who sits immediately left of the podium as one faces the dais.

Staff Reports



MONTHLY REPORT November 2021

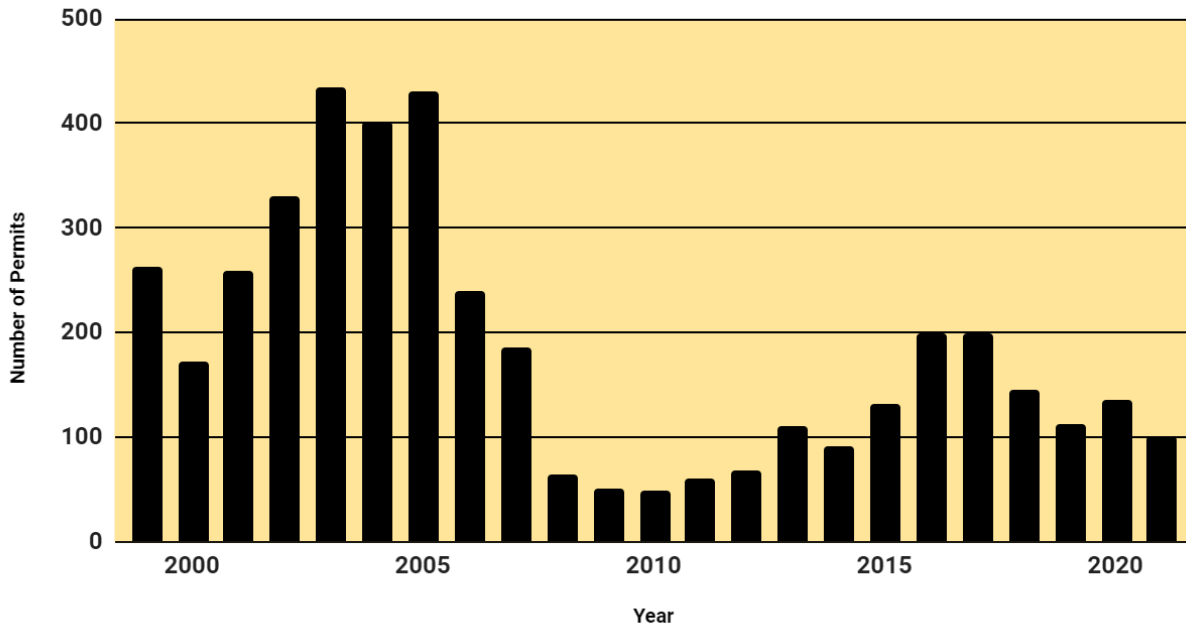
Building Permit Activity

Type of Permit	Nov 2021	2021 YTD	2020 YTD	2020 Total
Detached Single-Family Residential	5	101	114	136
Attached Single-Family Residential	88	120	14	22
Multi-Family Residential	0	0	396	396
Miscellaneous Residential (deck; roof)	32	531	1,194	1,240
Commercial - New, Additions, Alterations	3	35	12	13
Sign Permits	0	25	35	37
Inspections	Nov 2021	2021 YTD	2020 YTD	2020 Total
Total # of Inspections	288	3,661	4,151	4,447
Valuation	Nov 2021	2021 YTD	2020 YTD	2020 Total
Total Residential Permit Valuation	\$17,656,600	\$48,829,100	\$33,413,100	\$40,314,600
Total Commercial Permit Valuation	\$607,000	\$39,335,180	\$46,093,700	\$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 continues for Alexander Creek Third Plat.
- Site work is nearing completion for Eastbrooke at Creekmoor 2nd and 3rd Plat
- Site work has been completed on Oak Ridge Farms
- Building construction has commenced 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	Nov 2021	2021 YTD	2020 YTD	2020 Total
Code Enforcement Cases Opened	53	458	565	565
<i>Notices Mailed</i>				
-Tall Grass/Weeds	0	85	96	96
- Inoperable Vehicles	21	175	185	185
- Junk/Trash/Debris in Yard	7	86	92	92
- Object placed in right-of-way	0	5	6	6
- Parking of vehicles in front yard	5	41	20	20
- Exterior home maintenance	7	55	43	43
- Other (trash at curb early; signs; etc)	2	6	6	6
Properties mowed by City Contractor	0	42	73	73
Abatement of violations (silt fence repaired; trees removed; stagnant pools emptied; debris removed)	0	1	2	3
Signs in right-of-way removed	43	465	460	460
Violations abated by Code Officer	11	78	133	133

Development Activity

Current Projects

- Madison Valley Phase 2 Preliminary 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
- Watermark Site Plan

	As of Nov 30, 2021	As of Nov 30, 2020	As of Nov 30, 2019
Homes currently under construction	527 (252 units at Lofts of Foxridge)	552 (396 units at Lofts of Foxridge)	146
Total number of Undeveloped Lots Available (site ready for issuance of a permit for a new home)	173	290	359
Total number of dwelling units in City	9,063	8,789	8,655

Actions of Boards, Commission, and City Council

City Council

November 8, 2021

- Approved on 2nd reading the Eastbrooke at Creekmoor Third Final Plat
- Approved on 2nd reading the Stegmaier Acres Replat of Lot 2
- Approved on 2nd reading the establishment of new Ward Boundaries

November 22, 2021

- Approved on 1st reading the Rezoning of Lots 7 & 10 in LeMor Estates
- Approved on 1st reading the 34th Amendment to the UDC
- Approved on 1st reading the correction of the legal description in the Watermark rezoning request

Planning and Zoning Commission

November 16, 2021

- Recommended approval of the 34th amendment to the UDC
- Elected officers for 2021-22
- Approved the 2022 Meeting Calendar
- Recommended approval of the rezoning of lots 7 & 10 in LeMor Estates
- Recommended approval of the preliminary plat for The Estates at Knoll Creek

Board of Adjustment

November 16, 2021

- Denied a variance to the rear yard setback for 513 Regina Court

Upcoming Meetings – December & January

December 7, 2021 Planning and Zoning Commission

- Brown Event Center Conditional Use Permit, 16119 Kentucky Road (public hearing)
- Watermark Site Plan

December 13, 2021 City Council

- 2nd reading - 34th amendment to the UDC
- 2nd reading - LeMor Estates Rezoning
- Knoll Creek Preliminary Plat (public hearing)

December 14, 2021 Board of Adjustment

- Variance request for a 2nd driveway at 712 Raven Street

December 20, 2021 City Council

- 1st reading - Brown Event Center Conditional Use Permit (public hearing)

December 21, 2021 Planning and Zoning Commission

- No applications currently pending - meeting to be cancelled

January 4, 2022 Planning and Zoning Commission

- No applications currently pending

January 10, 2022 City Council

- 2nd reading - Brown Event Center

January 18, 2022 Planning and Zoning Commission

- No applications currently pending

January 24, 2022 City Council

- No applications currently pending

Department Activities

- Economic Development Director David Gress participated in the [2021 Public Service Career Expo](#), hosted by Mid-America Regional Council to highlight the roles and relationship of economic development within the public service

realm. The program was offered to middle-school and high-school students across the KC Metro.

- The total number of dwelling units in the City has surpassed 9,000, with a total of 9,034.
- A demolition permit was issued to remove the former Golden Corral building to allow for redevelopment of the property for a [Whataburger](#) restaurant.
- City Planner Dylan Eppert participated in the Missouri Chapter of the American Planning Association annual conference.
- Director Jim Cadoret participated in the virtual meeting of the participating communities in the Communities for All Ages initiative.
- The Board of Adjustment met Tuesday and denied the variance request filed for an addition to the home at [513 Regina Court](#) that would encroach 9 feet into the required rear yard setback.
- Building permits for 88 of the 204 proposed units in [The Venue](#) of The Good Ranch townhome development on Dean Avenue were prepared for issuance.
- Economic Development Director David Gress and Mayor Kristofer Turnbow attended the monthly Board meeting of the Raymore Chamber of Commerce.
- Director Jim Cadoret and City Planner Dylan Eppert met to restart staff work efforts on the City Comprehensive Plan.

GIS Activities

- Update of required services with sync ability for collaboration with AGO Open Data Portal
- Site data as requested by engineers
- Software maintenance & monitoring
- Creation of weekly crime mapping application
- Update of base mapping & regulatory features
- Addressing operations as required
- Printing services and troubleshooting
- QA/QC of enterprise database operations, feature datasets and attribution
- SOC tuning in support of web mapping applications for low bandwidth
- Reconciling enterprise database replication, versioning and sync issues

Municipal Division Summary Reporting

17th Judicial Circuit - Cass County - Raymore Municipal Division

I. COURT INFORMATION

Reporting Period:		
November	2021	Court activity occurred in reporting period: Yes
Clerk's Physical Address:		Mailing Address:
100 Municipal Circle Raymore, MO 64083		100 Municipal Circle Raymore, MO 64083
Telephone Number:		Vendor
(816) 331-1712		Incode (Tyler Technologies)
Fax Number:		
(816) 331-0634		
Prepared by:	Prepared by E-mail Address:	Municipal Judge(s) Active During Reporting Period:
Angela Davis	angela.davis@courts.mo.gov	Ross Nigro

II. MONTHLY CASELOAD INFORMATION	Alcohol & Drug Related Traffic	Other Traffic	Non-Traffic Ordinance
A. Cases (citations / informations) pending at start of month	52	1,099	632
B. Cases (citations / informations) filed	4	70	34
C. Cases (citations / informations) disposed			
1. jury trial (Springfield, Jefferson County, and St. Louis County only)	0	0	0
2. court / bench trial - GUILTY	0	0	0
3. court / bench trial - NOT GUILTY	0	1	0
4. plea of GUILTY in court	4	54	21
5. violations Bureau Citations (i.e., written plea of guilty) and bond forfeitures by court order (as payment of fines / costs)	0	1	0
6. dismissed by court	0	1	0
7. nolle prosequi	0	1	0
8. certified for jury trial (not heard in the Municipal Division)	0	0	0
9. TOTAL CASE DISPOSITIONS	4	58	21
D. Cases (citations / informations) pending at end of month [pending caseload = (A + B) – C9]	52	1,111	645
E. Trial de Novo and / or appeal applications filed	0	0	0

Municipal Division Summary Reporting

Court Information	Municipality: 17th Judicial Circuit - Cass County - Raymore Municipal Division	Reporting Period: November - 2021
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III. WARRANT INFORMATION (pre- & post-disposition)		IV. PARKING TICKETS	
1. # Issued during reporting period:	106	Does court staff process parking tickets? No	
2. # Served/withdrawn during reporting period:	66	1. # Issued during reporting period:	
3. # Outstanding at end of reporting period:	1,647		

V. DISBURSEMENTS	
Excess Revenue (minor traffic and municipal ordinance violations, subject to the excess revenue percentage limitation)	
Fines – Excess Revenue	\$5,733.50
Clerk Fee – Excess Revenue	\$462.37
Crime Victims Compensation (CVC) Fund surcharge – Paid to City/Excess Revenue	\$14.06
Bond forfeitures (paid to city) – Excess Revenue	\$45.00
Total Excess Revenue	\$6,254.93
Other Revenue (non-minor traffic and ordinance violations, not subject to the excess revenue percentage limitation)	
Fines – Other	\$7,780.99
Clerk Fee – Other	\$514.74
Judicial Education Fund (JEF) Court does not retain funds for JEF: No	\$0.00
Peace Officer Standards and Training (POST) Commission surcharge	\$80.00
Crime Victims Compensation (CVC) Fund surcharge – Paid to State	\$570.40
Crime Victims Compensation (CVC) Fund surcharge – Paid to City/Other	\$15.54
Law Enforcement Training (LET) Fund surcharge	\$162.85
Domestic Violence Shelter surcharge	\$320.00
Inmate Prisoner Detainee Security Fund surcharge	\$162.87
Sheriffs' Retirement Fund (SRF) surcharge	\$0.00
Restitution	\$0.00
Parking ticket revenue (including penalties)	\$0.00
Bond forfeitures (paid to city) – Other	\$1,240.00
Total Other Revenue	\$10,847.39
Other Disbursements: Enter below additional surcharges and/or fees not listed above. Designate if subject to the excess revenue percentage limitation. Examples include, but are not limited to, arrest costs and witness fees.	
DUI	\$467.67
Total Other Disbursements	\$467.67
Total Disbursements of Costs, Fees, Surcharges and Bonds Forfeited	\$17,569.99
Bond Refunds	\$500.00
Total Disbursements	\$18,069.99

Consent Agenda

THE RAYMORE CITY COUNCIL MET IN REGULAR SESSION ON MONDAY, NOVEMBER 22, 2021 IN COUNCIL CHAMBERS AT 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI. MEMBERS PRESENT: MAYOR TURNBOW, COUNCILMEMBERS ABDELGAWAD, BARBER, BERENDZEN, BURKE, III, CIRCO, HOLMAN, TOWNSEND, AND WILLS-SCHERZER. ALSO PRESENT: CITY MANAGER JIM FEUERBORN, CITY ATTORNEY JONATHAN ZERR, AND RECORDING SECRETARY BRITTNEY PARKER.

- 1. Call to Order.** Mayor Turnbow called the meeting to order at 7:00 p.m.
- 2. Roll Call.** Recording Secretary Brittney Parker called roll; quorum present to conduct business.
- 3. Pledge of Allegiance.**
- 4. Presentation/Awards.**
- 5. Personal Appearances.**
- 6. Staff Reports.**

Public Works Director Mike Krass reviewed the staff report included in the Council packet.

Assistant City Manager Mike Ekey noted upcoming events: the Mayor's Tree lighting event will be at 7 p.m. on December 3 at T.B. Hanna, the Raymore Art's Commission Holiday Sing Along will be held at St. Paul's Methodist Church at 3:30 p.m. on December 6, and on December 11 there will be a holiday movie night starting at 7 p.m. at the Raymore Activity Center. He noted that due to the Thanksgiving holiday trash pick up times will be delayed by a day.

City Manager Jim Feuerborn noted November 29 is the fifth Monday of the month so there will be no work session. He noted that Council will go into executive session after this meeting.

- 7. Committee Reports.**
- 8. Consent Agenda.**
 - A. City Council minutes, November 8, 2021**
 - B. Resolution 21-41: 2021 Sidewalk Project - Acceptance and Final Payment**

MOTION: By Councilmember Townsend, second by Councilmember Holman to approve the Consent Agenda as presented.

DISCUSSION: None

VOTE: Councilmember Abdelgawad Aye
Councilmember Barber Aye
Councilmember Berendzen Aye
Councilmember Burke, III Aye
Councilmember Circo Aye
Councilmember Holman Aye
Councilmember Townsend Aye
Councilmember Wills-Scherzer Aye

9. Unfinished Business.

A. Budget Amendment - Hawk Ridge Park Design Services

BILL 3666: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING A CONTRACT WITH CFS ENGINEERS FOR HAWK RIDGE PARK IMPROVEMENTS, IN THE AMOUNT OF TWENTY EIGHT THOUSAND TWO HUNDRED NINETY NINE DOLLARS AND AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDERS WITHIN ESTABLISHED BUDGET CONSTRAINTS."

Recording Secretary Brittney Parker conducted the second reading of Bill 3666 by title only.

MOTION: By Councilmember Townsend, second by Councilmember Holman to approve the second reading of Bill 3666 by title only.

DISCUSSION: None

VOTE: Councilmember Abdelgawad Aye
Councilmember Barber Aye
Councilmember Berendzen Aye
Councilmember Burke, III Aye
Councilmember Circo Aye
Councilmember Holman Aye
Councilmember Townsend Aye
Councilmember Wills-Scherzer Aye

Mayor Turnbow announced the motion carried and declared Bill 3666 as **Raymore City Ordinance 2021-070.**

B. Award of Contract - City Facility Trash & Recycling Services

BILL 3668: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH AMERICAN WASTE SERVICES LLC FOR THE CITY FACILITY TRASH AND RECYCLING SERVICES."

Recording Secretary Brittney Parker conducted the second reading of Bill 3668 by title only.

MOTION: By Councilmember Townsend, second by Councilmember Holman to approve the second reading of Bill 3668 by title only.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Aye
	Councilmember Circo	Aye
	Councilmember Holman	Aye
	Councilmember Townsend	Aye
	Councilmember Wills-Scherzer	Aye

Mayor Turnbow announced the motion carried and declared Bill 3668 as **Raymore City Ordinance 2021-071**.

10. New Business.

A. LeMor Estates Lots 7 & 10 Rezoning (public hearing)

BILL 3669: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING THE ZONING MAP FROM "R-1P" SINGLE-FAMILY RESIDENTIAL PLANNED DISTRICT TO "R-2P" SINGLE AND TWO-FAMILY RESIDENTIAL PLANNED DISTRICT, LEMOR ESTATES LOT 7 AND LOT 10."

Recording Secretary Brittney Parker conducted the first reading of Bill 3669 by title only.

Mayor Turnbow opened the public hearing at 7:06 p.m. and called for a staff report.

Development Services Director Jim Cadoret provided a review of the staff report included in the Council packet. Keith Wehmeir, representing Harper Building LLC, is requesting to reclassify the zoning of LeMor Estates Lot 7 and Lot 10, located at the intersection of Old Paint Road and Kreisel Drive, from R-1P Single-Family Residential Planned District to R-2P Single and Two-Family Residential Planned District. The two lots were originally zoned R-2P when the subdivision was planned. In 2007, the lots were rezoned to R-1P. The rezoning to the R-2P district will allow for a two-family structure that is compatible with the adjacent two-family structures. This public hearing was properly advertised in *The Journal* and he asked for the mailed notices to adjoining property owners, notice of publication, Unified Development Code, application, Growth Management Plan, and staff report to be entered into the record. At its November 16, 2021 meeting, the Planning and Zoning Commission voted 9-0 to accept the staff proposed findings of fact and forward to Council with a recommendation of approval.

Mayor Turnbow opened the public hearing for public comment, and hearing none closed the public hearing at 7:09 p.m.

MOTION: By Councilmember Townsend, second by Councilmember Holman to approve the first reading of Bill 3669 by title only.

DISCUSSION: None

VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Aye
	Councilmember Circo	Aye
	Councilmember Holman	Aye
	Councilmember Townsend	Aye
	Councilmember Wills-Scherzer	Aye

B. 34th Amendment to the Unified Development Code (public hearing)

BILL 3670: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING THE UNIFIED DEVELOPMENT CODE."

Recording Secretary Brittney Parker conducted the first reading of Bill 3670 by title only.

Mayor Turnbow opened the public hearing at 7:10 p.m. and called for a staff report.

Development Services Director Jim Cadoret provided a review of the staff report included in the Council packet. In September, the Planning & Zoning Commission completed the annual review of the Unified Development Code and directed staff to prepare the 34th amendment to the UDC, incorporating the code changes as recommended by staff. Four sections of the UDC are proposed to be amended in order to provide clarity in the code language and to provide consistency of language within the UDC. The amendment also provides a simplified process for the review of minor subdivision plats. This public hearing was properly advertised in *The Journal* and he asked for the notice of publication, Unified Development Code, Growth Management Plan, and staff report to be entered into the record. At its November 16, 2021 meeting, the Planning and Zoning Commission voted 9-0 to accept the staff proposed findings of fact and forward to Council with a recommendation of approval. He answered questions from Council.

Councilmember Berendzen asked the appeals process if an applicant was denied. Mr. Cadoret explained that an applicant can appeal through the Board of Adjustment, the minor plat application would then go through the Planning Commission approval process.

Councilmember Abdelgawad asked if this process follows other communities the same size. Mr. Cadoret explained that other communities may have different procedures depending on their preference and whether it meets their code requirements.

Mayor Turnbow opened the public hearing for public comment, and hearing none closed the public hearing at 7:14 p.m.

MOTION: By Councilmember Townsend, second by Councilmember Holman to approve the first reading of Bill 3670 by title only.

DISCUSSION: Councilmember Holman thanked staff for moving these types of administrative functions to staff instead of bringing them before Council.

VOTE:

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

C. Watermark Rezoning - Correction of Legal Description

BILL 3671: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, CORRECTING THE LEGAL DESCRIPTION FOR THE WATERMARK APARTMENT COMMUNITY REZONING APPLICATION."

Recording Secretary Brittney Parker conducted the first reading of Bill 3670 by title only.

Development Services Director Jim Cadoret provided a review of the staff report included in the Council packet. At its August 23, 2021 meeting, Council approved Bill 3643, now identified as Ordinance 2021-048, reclassifying the zoning of property for the proposed Watermark Apartment Community. The intent of Bill 3643 was to rezone 21-acres located on the east side of Dean Avenue, south of Sam's Club, from C-3 Regional Commercial District to R-3B Apartment Community Residential District, to allow for the apartment community. The legal description contained in Bill 3643 only included 17.83 acres of the 21.03 acre site. Two previously platted tracts of land at the southwest corner of the site were omitted from the legal description. All of the published zoning maps, the notice of the proposed rezoning sent to adjacent property owners, the legal notice published in The Journal newspaper, and the staff report described the proposed rezoning area as 21.03 acres. Bill 3671 proposes to correct the legal description included in Bill 3643 to properly reflect all 21.03 acres intended to be rezoned to the R-3B zoning classification.

MOTION: By Councilmember Townsend, second by Councilmember Holman to approve the first reading of Bill 3671 by title only.

DISCUSSION: None

VOTE:

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

11. Public Comment.

12. Mayor/Council Communication.

Mayor Turnbow and Councilmembers wished all a happy Thanksgiving holiday.

Councilmember Townsend thanked staff for the work and efforts done for the community.

MOTION: By Councilmember Townsend, second by Councilmember Holman to adjourn to Executive Session to discuss real estate acquisition matters as authorized by §610.021 (2) and personnel matters as authorized by §610.021 (3).

ROLL CALL VOTE:

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

The regular meeting of the Raymore City Council adjourned to Executive Session at 7:23 p.m.

13. Adjournment.

MOTION: By Councilmember Townsend, second by Councilmember Holman to adjourn.

DISCUSSION: None

VOTE:

Councilmember Abdelgawad	Aye
Councilmember Barber	Aye

Councilmember Berendzen	Aye
Councilmember Burke, III	Aye
Councilmember Circo	Aye
Councilmember Holman	Aye
Councilmember Townsend	Aye
Councilmember Wills-Scherzer	Aye

The regular meeting of the Raymore Council adjourned at 7:34 p.m.

Respectfully submitted,

Brittney Parker
Administrative Assistant

RESOLUTION 21-45

"A RESOLUTION OF THE CITY OF RAYMORE, MISSOURI, APPROVING A REAPPOINTMENT TO THE RAYMORE PLANNING AND ZONING COMMISSION."

WHEREAS, Section 465.020 of the Raymore City Code and Section 8.1 of the Raymore City Charter authorizes the Mayor to appoint members to the Raymore Planning and Zoning Commission with the advice and consent of a majority of the City Council.

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

Section 1. Authorization requires that all said appointments shall be approved with the advice and consent of a majority of the Council.

Section 2. The Council consents to the Mayor's reappointment of the following person to the Planning and Zoning Commission for Ward 1.

<u>NAME</u>	<u>EFFECTIVE</u>	<u>TERM EXPIRES</u>
Kelly Fizer	December 13, 2021	October 31, 2025

DULY READ AND PASSED 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

RESOLUTION 21-46

"A RESOLUTION OF THE CITY OF RAYMORE, MISSOURI, APPROVING A REAPPOINTMENT TO THE RAYMORE PLANNING AND ZONING COMMISSION."

WHEREAS, Section 465.020 of the Raymore City Code and Section 8.1 of the Raymore City Charter authorizes the Mayor to appoint members to the Raymore Planning and Zoning Commission with the advice and consent of a majority of the City Council.

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

Section 1. Authorization requires that all said appointments shall be approved with the advice and consent of a majority of the Council.

Section 2. The Council consents to the Mayor's reappointment of the following person to the Planning and Zoning Commission for Ward 2.

<u>NAME</u>	<u>EFFECTIVE</u>	<u>TERM EXPIRES</u>
Mario Urquilla	December 13, 2021	October 31, 2025

DULY READ AND PASSED 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

RESOLUTION 21-47

"A RESOLUTION OF THE CITY OF RAYMORE, MISSOURI, APPROVING A REAPPOINTMENT TO THE BOARD OF ADJUSTMENT."

WHEREAS, Section 465.030 of the Raymore City Code and Section 8.1 of the Raymore City Charter authorizes the Mayor to appoint members to the Board of Adjustment with the advice and consent of a majority of the City Council.

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

Section 1. Authorization requires that all said appointments shall be approved with the advice and consent of a majority of the Council.

Section 2. The Council consents to the Mayor's reappointment of Terri Woods to the Board of Adjustment.

<u>NAME</u>	<u>EFFECTIVE</u>	<u>TERM EXPIRES</u>
Terri Woods	December 13, 2021	October 31, 2026

DULY READ AND PASSED 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

RESOLUTION 21-48

"A RESOLUTION OF THE CITY OF RAYMORE, MISSOURI, APPROVING A REAPPOINTMENT TO THE BOARD OF ADJUSTMENT."

WHEREAS, Section 465.030 of the Raymore City Code and Section 8.1 of the Raymore City Charter authorizes the Mayor to appoint members to the Board of Adjustment with the advice and consent of a majority of the City Council.

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

Section 1. Authorization requires that all said appointments shall be approved with the advice and consent of a majority of the Council.

Section 2. The Council consents to the Mayor's reappointment of Ben Bailey to the Board of Adjustment.

<u>NAME</u>	<u>EFFECTIVE</u>	<u>TERM EXPIRES</u>
Ben Bailey	December 13, 2021	October 31, 2026

DULY READ AND PASSED 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

RESOLUTION 21-49

"A RESOLUTION OF THE CITY OF RAYMORE, MISSOURI, APPROVING A REAPPOINTMENT TO THE BOARD OF ADJUSTMENT."

WHEREAS, Section 465.030 of the Raymore City Code and Section 8.1 of the Raymore City Charter authorizes the Mayor to appoint members to the Board of Adjustment with the advice and consent of a majority of the City Council.

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

Section 1. Authorization requires that all said appointments shall be approved with the advice and consent of a majority of the Council.

Section 2. The Council consents to the Mayor's reappointment of Aaron Harrison to the Board of Adjustment.

<u>NAME</u>	<u>EFFECTIVE</u>	<u>TERM EXPIRES</u>
Aaron Harrison	December 13, 2021	October 31, 2026

DULY READ AND PASSED 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

RESOLUTION 21-50

"A RESOLUTION OF THE CITY OF RAYMORE, MISSOURI, APPROVING AN APPOINTMENT TO THE ARTS COMMISSION."

WHEREAS, Section 120.110 of the Raymore City Code authorizes the Mayor to appoint members to the Arts Commission with the advice and consent of a majority of the Council.

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

Section 1. Authorization requires that all said appointments shall be approved with the advice and consent of a majority of the Council.

Section 2. The Council consents to the Mayor's appointment of Randee Krumwiede, an at large representative, to the Arts Commission.

<u>NAME</u>	<u>EFFECTIVE</u>	<u>TERM EXPIRES</u>
Randee Krumwiede	December 13, 2021	July 31, 2024

DULY READ AND PASSED 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



Erica Hill <ehill@raymore.com>

City of Raymore, MO: Online Volunteer Application

1 message

webmaster@raymore.com <webmaster@raymore.com>
To: jlwoerner@raymore.com, Mekey@raymore.com, EHill@raymore.com

Tue, Oct 27, 2020 at 8:30 PM

A new entry to a form/survey has been submitted.

Form Name: City Volunteer Form
Date & Time: 10/27/2020 8:30 PM
Response #: 45
Submitter ID: 1778
IP address: 136.34.130.4
Time to complete: 17 min. , 49 sec.

Survey Details

Page 1

1. Contact Information

Full Name: Randee Krumwiede
Address: 404 South Huntsman Blvd Raymore, MO 64083
Phone Number: (816) 519-5782
Email: randee.krumwiede@gmail.com

2. Select your Ward (If you don't know your Ward, call 816-331-3324)

(o) Ward 1

3. I am interested in:

Arts Commission

4. Why are you interested in serving on a City board or commission?

I am particularly interested in serving on the Arts Commission. As a lover of the arts, I am pleased to see this commission formed in Raymore, and would welcome the opportunity to volunteer on behalf of it. A long time resident of Raymore, I wish to give back to my community.

What other community or civic activities do you participate in?

I am the Executive Director of the Greater Kansas City Chapter of the American Red Cross. As a result, I am involved in the Regional Homeland Security Coordinating Committee (RHSCC) serving the Kansas City metropolitan area and affiliated with United Way and other partnering agencies.

Thank you,
City of Raymore, MO

This is an automated message generated by the Vision Content Management System™. Please do not reply directly to this email.

RESOLUTION 21-51

"A RESOLUTION OF THE CITY OF RAYMORE, MISSOURI, APPROVING AN APPOINTMENT TO THE PARKS AND RECREATION BOARD."

WHEREAS, Section 8.1 of the Raymore Home Rule Charter authorizes the Mayor to appoint members to the Parks and Recreation Board with the advice and consent of a majority of the Council; and

WHEREAS, the Parks and Recreation Board shall act in accordance with, shall have such authority as conferred by, and shall in general carry out the spirit and intent of Sections 90.500 through 90.570 of the Revised Statutes of Missouri (RSMo).

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

Section 1. That the Council consents to the Mayor's appointment of Daniel Mapes to the Parks and Recreation Board as a Ward 1 representative to fill the unexpired term of Ryan Supple, for the term as indicated and until a successor is appointed.

<u>NAME</u>	<u>EFFECTIVE</u>	<u>TERM EXPIRES</u>
Daniel Mapes	December 13, 2021	June 1, 2022

DULY READ AND PASSED 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

Online Volunteer Application

1 message

webmaster@raymore.com <webmaster@raymore.com>
To: Mekey@raymore.com, EHill@raymore.com

Thu, Dec 2, 2021 at 9:02 AM

A new entry to a form/survey has been submitted.

Form Name: City Volunteer Form
Date & Time: 12/02/2021 9:02 AM
Response #: 59
Submitter ID: 2033
IP address: 76.201.152.145
Time to complete: 9 min. , 55 sec.

Survey Details

Page 1

1. Contact Information

Full Name: Daniel Mapes
Address: 1700 Kimberwick CT
Phone Number: (816) 214-0025
Email: danielmapes@hotmail.com

2. Select your Ward (If you don't know your Ward, call 816-331-3324)

(o) Ward 1

3. I am interested in:

Parks & Recreation Board

4. Why are you interested in serving on a City board or commission?

I served on the park board from 2006 to 2011 and would love to return.

What other community or civic activities do you participate in?

I planned the skateboarding competition for 8 years in Raymore. I currently teach a Beginner skateboarding class in Raymore, MO, Shawnee, KS and Prairie Village, KS. I helped with the re-design and construction of the new Prairie Village skatepark that was just recently completed.

Thank you,
City of Raymore, MO

This is an automated message generated by Granicus. Please do not reply directly to this email.

Unfinished Business



CITY OF RAYMORE
AGENDA ITEM INFORMATION FORM

DATE: Nov. 22, 2021

SUBMITTED BY: Jim Cadoret

DEPARTMENT: Development Services

<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Presentation	<input checked="" type="checkbox"/> Public Hearing
<input type="checkbox"/> Agreement	<input type="checkbox"/> Discussion	<input type="checkbox"/> Other	

TITLE / ISSUE / REQUEST

Bill 3669: LeMor Estates Lots 7 & 10 Rezoning

STRATEGIC PLAN GOAL/STRATEGY

Goal 3.2.4: Provide quality, diverse housing options

FINANCIAL IMPACT

Award To:
Amount of Request/Contract:
Amount Budgeted:
Funding Source/Account#:

PROJECT TIMELINE

Estimated Start Date	Estimated End Date
----------------------	--------------------

STAFF RECOMMENDATION

Approval

OTHER BOARDS & COMMISSIONS ASSIGNED

Name of Board or Commission: Planning and Zoning Commission
Date: Nov. 16, 2021
Action/Vote: Approval 9-0

LIST OF REFERENCE DOCUMENTS ATTACHED

Staff Report

REVIEWED BY:

Jim Feuerborn

BACKGROUND / JUSTIFICATION

Keith Wehmeir, representing Harper Building LLC, is requesting to reclassify the zoning of LeMor Estates Lot 7 and Lot 10, located at the intersection of Old Paint Road and Kreisel Drive, from R-1P "Single-Family Residential Planned District" to R-2P "Single and Two-Family Residential Planned District." The two lots were originally zoned R-2P when the subdivision was planned. In 2007 the lots were rezoned to R-1P.

The rezoning to the R-2P district will allow for a two-family structure that is compatible with the adjacent two-family structures.

BILL 3669

ORDINANCE

"AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING THE ZONING MAP FROM "R-1P" SINGLE-FAMILY RESIDENTIAL PLANNED DISTRICT TO "R-2P" SINGLE AND TWO-FAMILY RESIDENTIAL PLANNED DISTRICT, LEMOR ESTATES LOT 7 AND LOT 10."

WHEREAS, after a public hearing was held on November 16, 2021, the Planning and Zoning Commission submitted its recommendation of approval on the application to the City Council; and

WHEREAS, the City Council held a public hearing on November 22, 2021, after notice of said hearing was published in a newspaper of general circulation in Raymore, Missouri, at least fifteen (15) days prior to said hearing.

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

Section 1. The City Council makes its findings of fact on the application and accepts the recommendation of the Planning and Zoning Commission.

Section 2. The Zoning Map of the City of Raymore, Missouri is amended by rezoning from "R-1P" Single-Family Residential Planned District to "R-2P" Single and Two-Family Residential Planned District, for the following property:

Lot 7 and Lot 10 of LeMor Estates Lots 1-39 and Tracts "A" - "C".

Section 3. 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 4. 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



To: City Council
From: Planning and Zoning Commission
Date: November 22, 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-2P

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-1P (Single Family Residential Planned District)
- East: R-2P (Single and Two-Family Residential Planned District)
- South: R-2P (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 Kreisel Dr. are classified as local roads.

Advertisement: October 26, 2021 **Journal** newspaper
November 4, 2021 **Journal** newspaper

Public Hearing: November 16, 2021 Planning Commission meeting
November 22, 2021 City Council 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-2P” Single and Two-Family Residential Planned 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.”

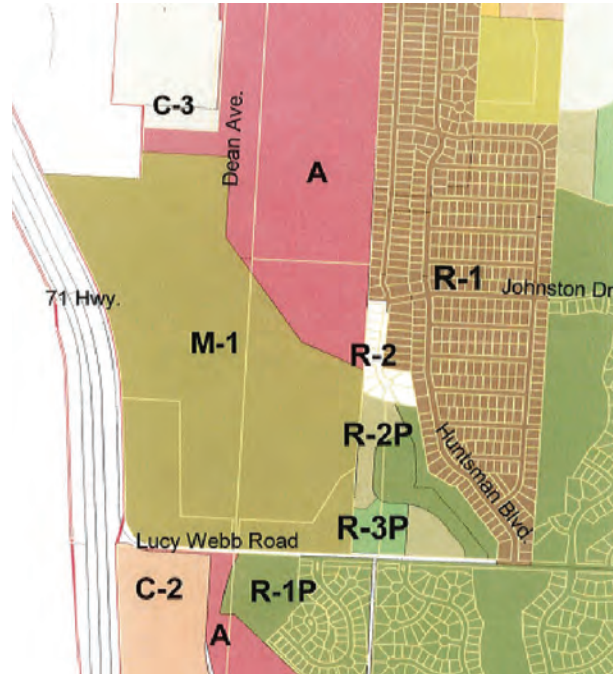
Section 470.020 (F) requires that a public hearing be held by the Planning and Zoning Commission and the City Council. The Planning and Zoning Commission will submit a recommendation to the City Council upon conclusion of the public hearing.

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.

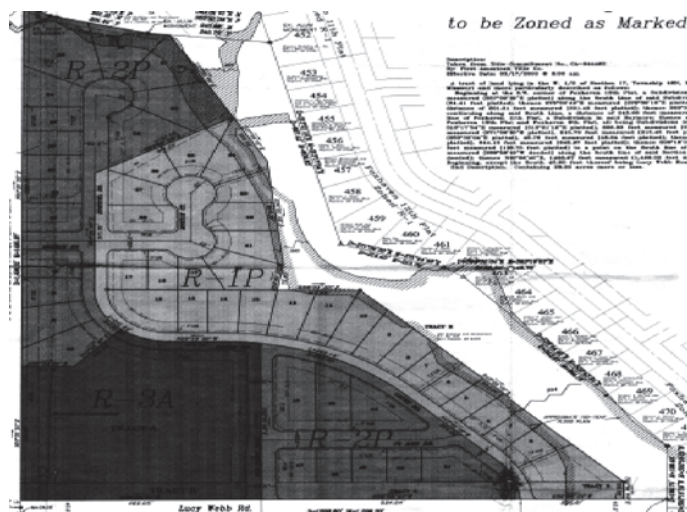
PREVIOUS PLANNING ACTIONS ON OR NEAR THE PROPERTY

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.

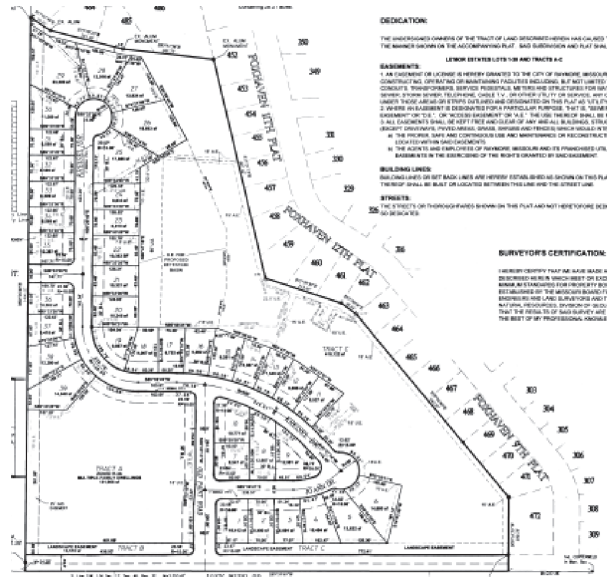
The rezoning of land in LeMor Estates established the R-2P and R-3A zoning district as a land use buffer adjacent to the industrial zoned land to the west. The R-1P land was established on the land along the west side of the creek. The 1999 rezoning is illustrated below:



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	7,545 sqft
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	

“R-2P” Single and Two-Family Planned	
Lot Area Minimum (per lot)	9,547 sqft
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 from R-1P to R-2P. Single family homes are now being constructed on the lots.

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.

PLANNING COMMISSION 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> Public Hearing	<u>Planning Commission</u> November 16, 2021	<u>City Council 1st</u> November 22, 2021	<u>City Council 2nd</u> 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-2P" Single and Two-Family Residential Planned District, to City Council with a recommendation of approval.

PLANNING AND ZONING COMMISSION RECOMMENDATION

The Planning and Zoning Commission, at its November 16, 2021 meeting, voted 9-0 to 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-2P" Single and Two-Family Residential Planned District, to City Council with a recommendation of approval.



CITY OF RAYMORE
AGENDA ITEM INFORMATION FORM

DATE: Nov. 22, 2021

SUBMITTED BY: Jim Cadoret

DEPARTMENT: Development Services

<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Presentation	<input checked="" type="checkbox"/> Public Hearing
<input type="checkbox"/> Agreement	<input type="checkbox"/> Discussion	<input type="checkbox"/> Other	

TITLE / ISSUE / REQUEST

Bill 3670: 34th Amendment to the Unified Development Code

STRATEGIC PLAN GOAL/STRATEGY

2.1.4: Review and expand strategies that promote and enforce code requirements.

FINANCIAL IMPACT

Award To:
Amount of Request/Contract:
Amount Budgeted:
Funding Source/Account#:

PROJECT TIMELINE

Estimated Start Date	Estimated End Date
----------------------	--------------------

STAFF RECOMMENDATION

Approval

OTHER BOARDS & COMMISSIONS ASSIGNED

Name of Board or Commission: Planning and Zoning Commission
Date: Nov. 16, 2021
Action/Vote: Approval 9-0

LIST OF REFERENCE DOCUMENTS ATTACHED

Staff Report

REVIEWED BY:

Jim Feuerborn

BACKGROUND / JUSTIFICATION

In September the Planning & Zoning Commission completed the annual review of the Unified Development Code and directed staff to prepare the 34th amendment to the UDC, incorporating the code changes as recommended by staff.

Four sections of the UDC are proposed to be amended in order to provide clarity in the code language and to provide consistency of language within the UDC. The amendment also provides a simplified process for the review of minor subdivision plats.

BILL 3670

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 approval; 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~~ ~~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~~

~~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~~

~~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	∅	
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



To: City Council
From: Planning and Zoning Commission
Date: November 22, 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
November 4, 2021 Journal Newspaper

Public Hearing: October 19, 2021 Planning and Zoning Commission
November 22, 2021 City Council

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.

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

PLANNING AND ZONING COMMISSION RECOMMENDATION

The Planning and Zoning Commission, at its November 16, 2021 meeting, voted 9-0 to 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.



CITY OF RAYMORE
AGENDA ITEM INFORMATION FORM

DATE: Nov. 22, 2021

SUBMITTED BY: Jim Cadoret

DEPARTMENT: Development Services

<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Presentation	<input type="checkbox"/> Public Hearing
<input type="checkbox"/> Agreement	<input type="checkbox"/> Discussion	<input type="checkbox"/> Other	

TITLE / ISSUE / REQUEST

Bill 3671: Corrected Legal Description - Watermark Rezoning

STRATEGIC PLAN GOAL/STRATEGY

FINANCIAL IMPACT

Award To:
Amount of Request/Contract:
Amount Budgeted:
Funding Source/Account#:

PROJECT TIMELINE

Estimated Start Date	Estimated End Date
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STAFF RECOMMENDATION

Approval

OTHER BOARDS & COMMISSIONS ASSIGNED

Name of Board or Commission:
Date:
Action/Vote:

LIST OF REFERENCE DOCUMENTS ATTACHED

Rezoning Map

REVIEWED BY:

Jim Feuerborn

BACKGROUND / JUSTIFICATION

At its Aug. 23, 2021, meeting City Council approved Bill 3643, now identified as Ordinance 2021-048, reclassifying the zoning of property for the proposed Watermark Apartment Community. The intent of Bill 3643 was to rezone 21-acres located on the east side of Dean Avenue, south of Sam's Club, from "C-3" Regional Commercial District to "R-3B" Apartment Community Residential District, to allow for the apartment community. The legal description contained in Bill 3643 only included 17.83 acres of the 21.03 acre site. Two previously platted tracts of land at the southwest corner of the site were omitted from the legal description.

All of the published zoning maps, the notice of the proposed rezoning sent to adjacent property owners, the legal notice published in The Journal newspaper, and the staff report described the proposed rezoning area as 21.03 acres.

Bill 3671 proposes to correct the legal description included in Bill 3643 to properly reflect all 21.03 acres intended to be rezoned to the R-3B zoning classification.

BILL 3671

ORDINANCE

"AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, CORRECTING THE LEGAL DESCRIPTION FOR THE WATERMARK APARTMENT COMMUNITY REZONING APPLICATION."

WHEREAS, Ordinance 2021-048, considered as Bill #3643, was approved by City Council on August 23, 2021; and

WHEREAS, the legal description contained in Ordinance 2021-048 was not inclusive of all of the property intended to be rezoned as part of the Watermark Apartment Community application; and

WHEREAS, the title of Ordinance 2021-048, the staff report and rezoning map included with the Ordinance, the legal notice publication, and the notice to the neighboring property owners all described the property in its entirety as was intended to be rezoned; and

WHEREAS, only the legal description included in Ordinance 2021-048 inadvertently omitted a portion of the overall property intended to be rezoned as part of the Watermark Apartment Community application.

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

Section 1. The City Council modifies the legal description contained in Ordinance 2021-048 to include all land areas intended to be rezoned from "C-3" Regional Commercial District to "R-3B" Apartment Community Residential District as part of Ordinance 2021-048, as described below:

Tract 1:

Lot 8 and Tract A, Raymore Galleria - Second Plat, a subdivision in Raymore, Cass County, Missouri.

Tract 2:

A tract of land in the Northeast Quarter of Section 18 and the Northwest Quarter of Section 17, Township 46 North, Range 32 West of the 5th Principal Meridian in the City of Raymore, Cass County, Missouri, being described as follows:

Beginning at the Northwest corner of "Raymore Galleria- Second Plat", a subdivision of land in the City of Raymore, Cass County, Missouri; thence North 03°30'54" East, along the East right-of-way line of Dean Avenue, as now established, a distance of 245.26 feet; thence North 05°06'14" East, along said East right-of-way line of Dean Avenue, a distance of 8.54 feet to the Southwest corner of Lot 6-F, "Replat of Lot 6-A, 6-B, 6-C and Tract D, of the Replat of Lot 6, Raymore Galleria - First Plat", a subdivision of land in the City of Raymore, Cass County, Missouri; thence South 87°29'23" East, along the South line of said Lot 6-F and 6-E, a distance of 426.95 feet; thence South 42°29'23" East, continuing along said South line, for a distance of 35.55 feet; thence South 73°44'18" East, continuing

along said South line, a distance of 104.59 feet; thence South 87°29'23" East, continuing along said South line, a distance of 554.77 feet; thence North 02°30'35" East, along the East line of said Lot 6-E, a distance of 50.00 feet; to the Southeast corner of said "Replat of Lot 6, Raymore Galleria - First Plat"; thence North 02°30'35" East, along the East line of said "Replat of Lot 6, Raymore Galleria- First Plat", a distance of 2.00 feet to the Southwest corner of Tract B, "Raymore Galleria - First Plat", a subdivision of land in the City of Raymore, Cass County, Missouri; thence South 87°29'23" East, along the South line of said Tract B, a distance of 278.02 feet to the Southeast corner of said "Raymore Galleria - First Plat", said corner also being a point on the West line of "Foxhaven - Second Plat", a subdivision of land in the City of Raymore, Cass County, Missouri; thence South 03°03'58" West, along said West line and the West line of "Foxhaven - Second Plat and Foxhaven - Eighth Plat", both subdivisions of land in the City of Raymore, Cass County, Missouri, 685.49 feet; thence North 86°58'22" West, 934.84 feet to the Southeast corner of Tract "A" in said "Raymore Galleria- Second Plat"; thence North 02°30'38" East, along the East line of said "Raymore Galleria - Second Plat", a distance of 421.27 feet to the Northeast corner of said plat; thence North 87°29'22" West, along the North line of said "Raymore Galleria - Second Plat", a distance of 449.70 feet to the Point of Beginning.

Section 2. 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 3. 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



The City makes no warranty of any kind, expressed or implied, regarding fitness of the information shown for a particular use.

New Business



CITY OF RAYMORE
AGENDA ITEM INFORMATION FORM

DATE: Dec. 13, 2021

SUBMITTED BY: Jim Cadoret

DEPARTMENT: Development Services

<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution	<input type="checkbox"/> Presentation	<input checked="" type="checkbox"/> Public Hearing
<input type="checkbox"/> Agreement	<input type="checkbox"/> Discussion	<input type="checkbox"/> Other	

TITLE / ISSUE / REQUEST

Res. 21-43: The Estates at Knoll Creek Preliminary Plat

STRATEGIC PLAN GOAL/STRATEGY

3.2.4: Provide quality, diverse housing options that meet the needs of our community.

FINANCIAL IMPACT

Award To:
Amount of Request/Contract:
Amount Budgeted:
Funding Source/Account#:

PROJECT TIMELINE

Estimated Start Date	Estimated End Date

STAFF RECOMMENDATION

Approval

OTHER BOARDS & COMMISSIONS ASSIGNED

Name of Board or Commission: Planning and Zoning Commission
Date: Nov. 16, 2021
Action/Vote: Approval, 9-0

LIST OF REFERENCE DOCUMENTS ATTACHED

Staff Report
Memorandum of Understanding
Preliminary Plat Drawing

REVIEWED BY:

Jim Feuerborn

BACKGROUND / JUSTIFICATION

Tyler Sallee, representing Sallee Real Estate Investments LLC, filed a request for preliminary plat approval for The Estates at Knoll Creek, a 76-lot single-family subdivision proposed for 36 acres zoned R-1, Single-Family Residential District, located west of the existing Knoll Creek subdivision. A Memorandum of Understanding has been prepared detailing the requirements of the City and the Developer regarding the development.

RESOLUTION 21-43

"A RESOLUTION OF THE RAYMORE CITY COUNCIL APPROVING THE ESTATES AT KNOLL CREEK PRELIMINARY PLAT."

WHEREAS, the Planning and Zoning Commission held a public hearing on November 16, 2021, on The Estates at Knoll Creek preliminary plat and forwarded its recommendation of approval to the City Council; and

WHEREAS, the City Council held a public hearing on December 13, 2021, and accepted the recommendation of the Planning and Zoning Commission.

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

Section 1. The Estates at Knoll Creek Preliminary Plat is approved.

Section 2. This resolution shall become effective on and after the date of passage and approval.

Section 3. Any Resolution or part thereof which conflicts with this Resolution shall be null and void.

DULY READ AND PASSED 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



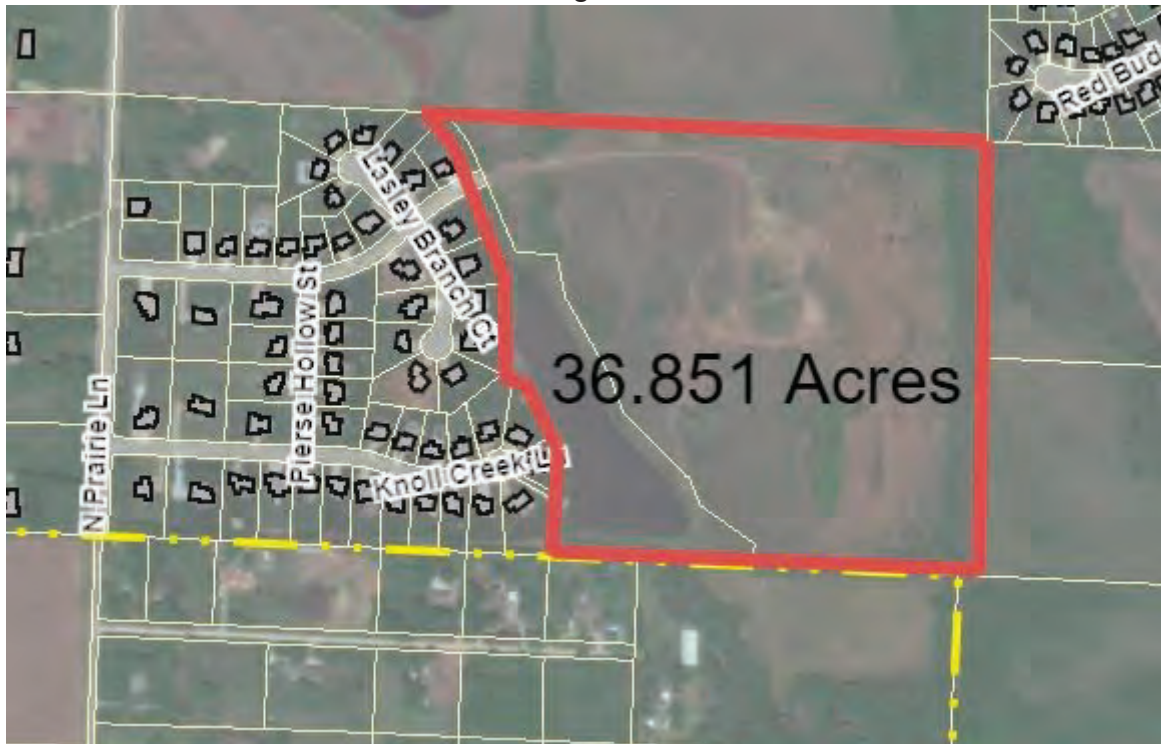
To: City Council
From: Planning and Zoning Commission
Date: December 13, 2021
Re: Case #21036: The Estates at Knoll Creek - Preliminary Plat

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
November 25, 2021 **Journal** newspaper

Good Neighbor: October 27, 2021

Public Hearing: November 16, 2021 Planning Commission meeting
December 13, 2021 City Council

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:

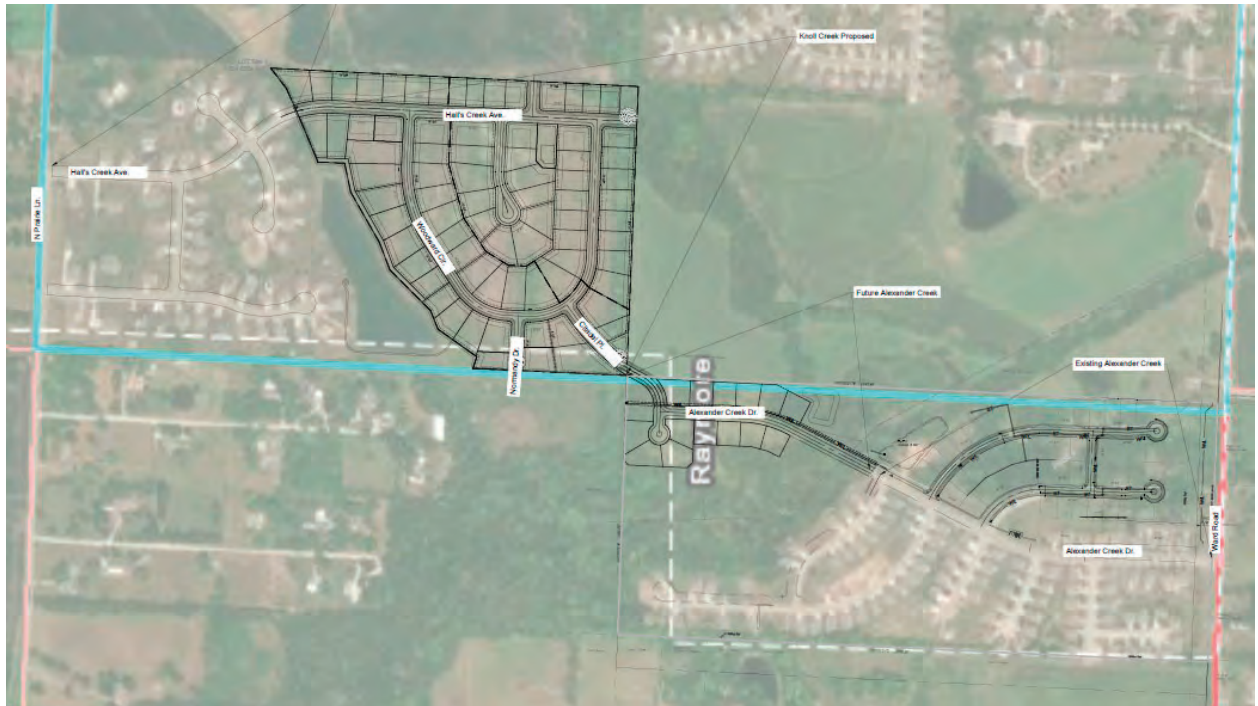
R-1	
Minimum Lot Area	
square feet	8,400 sq ft
Minimum Lot Width (feet)	70
Minimum Lot Depth (feet)	100
Yards, Minimum (feet)	
front	30
rear	30
side	10
Maximum Building Height (feet)	35
Maximum Building Coverage (%)	30

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.

PLANNING COMMISSION 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.

PLANNING AND ZONING COMMISSION RECOMMENDATION

The Planning and Zoning Commission, at its November 16, 2021 meeting, voted 9-0 to 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.



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: _____

Planning and Zoning Commission Meeting Minutes Excerpt November 16, 2021

7. NEW BUSINESS

d. Case #21036: The Estates at Knoll Creek Preliminary Plat (*public hearing*)

Chairman Wiggins opened the public hearing at 7:19pm.

Tyler Sallee, Sallee Real Estate Investments LLC, PO Box 6437, Lee's Summit MO 64064, came to the podium on behalf of the applicant for the expansion of Knoll Creek. The proposed expansion to the current Knoll Creek subdivision will be very similar to the first phase of the subdivision. The overall layout of the subdivision remains consistent with the original preliminary plat that was approved for the subdivision, with the exception of some changes made to the cul-de-sac configurations, and an additional street to the southeast of the property that would eventually connect to the Alexander Creek subdivision. There are 79 lots that would be developed in 2 or 3 phases, around 30-40 lots at a time. The size of the lots would be similar to the homes in Knoll Creek phase 1. Exteriors of the homes would also be similar to the existing Knoll Creek subdivision. There is a common detention area that splits phases 1 and 2 which will be acquired with the purchase of the land. The current landowner owns the detention pond, which serves for detention for the undeveloped tract of land as well as phase 1 of Knoll Creek. Mr. Sallee stated that on the original preliminary plat there was a pedestrian walking trail shown around the detention pond area that has not been installed yet. Part of the development will be to complete the trail around the detention pond during the 1st or 2nd phase of the new construction. There are open space green tracts that are included in the proposal. Those open areas and the detention pond area are planned to eventually be owned by the Homeowners Association, and they would be responsible for the ongoing maintenance once that is transferred to them. There was a neighborhood meeting that was hosted with around 25 residents in attendance where questions were asked about the connection between the new Knoll Creek development and the Alexander Creek subdivision. Sallee Real Estate owns Alexander Creek, and it is planned for the two neighborhoods to connect at some point in the future.

Commissioner Faulkner asked Mr. Sallee to confirm the number of lots in this development.

Mr. Sallee responded that there are 79 lots in the development.

Commissioner Faulkner stated that there is a contraindication, the paperwork states there are 76 lots.

Mr. Sallee confirmed that 76 is correct.

Mr. Eppert began the Staff Report, stating that the request is for approval of the preliminary plat for the expansion of the Knoll Creek Subdivision. The property is 36.851 acres, and is generally located on undeveloped land east of the existing Estates at Knoll Creek subdivision. Surrounding zoning includes "A" Agricultural to the north and east, "R-1" Single-Family Residential to the west, and unincorporated Cass County to the south. The Future Land Use Map of the current Growth Management Plan designates this property as appropriate for low density residential. The Major Thoroughfare Plan Map classifies N Prairie Lane as a Major Collector and Hall's Creek Avenue as a local road. There has been an advertisement and a Good Neighbor meeting, and Mr. Eppert entered 7 items into the record, as well as any additional exhibits as presented during the hearing. The property was rezoned from "A" Agricultural District to "R-1" Single-Family Residential District in October 2003. The original preliminary plat for The Estates at Knoll Creek was approved at the same time. There were three phases proposed for the subdivision, with 56

homes in Phase 1. The final plat for Phase 1 was approved in May 2004. All 56 lots have been developed. The original preliminary plat for Knoll Creek expired in May 2006. In 2003, the Parks & 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 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 have been met. In November 2021, the Parks & Recreation Board voted to accept a fee-in-lieu of parkland dedication in the amount of \$80,256 for the new development at Knoll Creek, and is to be paid at the time the Final Plat is recorded. The subject property is located within the territorial area of the Cass County Public Water District #3. The applicant is aware that the entire Knoll Creek subdivision will be served by that district. Temporary cul-de-sacs will need to be constructed on the east end of Hall's Creek Avenue, the southern end of Citadel Place, and at the southern end of Normandy Drive. The South Metro Fire District had two comments regarding the preliminary plat, including a request that the fire hydrant be located at lot 111 and the island in the "tear drop" style cul-de-sac will have pavers instead of grass. 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 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. The pond would be the responsibility of the applicant to maintain until such time the ponds are deeded over to the Homeowners Association. A maintenance agreement is required. A 7' walking trail is to be constructed around the pond 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. Citadel Place is designed to allow future connection to the extension of Alexander Creek Drive in the Alexander Creek subdivision. 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 the adjacent property coincident with the street extensions. City Staff recommends the acceptance of this case, subject to the condition that documentation shall be provided to the City that the applicant has access rights to utilize the existing stormwater detention basin located upon Tract C of the Estates at Knoll Creek first plat.

Chairman Wiggins asked if it is being planned to install roundabouts on 58 Highway at some point? If so, where would those roundabouts be located?

Director of Public Works Mike Krass replied that there is a roundabout being suggested at the 58 Highway and Ward Road intersection, as well as the intersection at 58 Highway and Prairie Lane. The contract for those has recently been awarded and work is anticipated to start in the spring.

President of the Knoll Creek Estates Homeowners Association Matt Dorsey came to the podium for comments. Mr. Dorsey commented that since work is already going on in the Alexander Creek subdivision and a connection is planned between the two subdivisions, the community would like the developers to begin phase 2 of the project first. This would allow the builders a different access point so they would not be constantly driving through the established neighborhood of Knoll Creek. Mr. Dorsey also had a question about who was responsible for maintaining the detention pond. If the current landowner still owns the pond, why has the Knoll Creek HOA been maintaining the pond? Who does the pond belong to, and why has the Knoll Creek HOA been stocking the pond and doing cleanup?

Mr. Eppert responded that Mr. Sallee will acquire the pond once he purchases the land for the new development of Knoll Creek. The plan is to have one single HOA for the entire Knoll Creek subdivision, including the new development.

Chairman Wiggins closed the public hearing at 7:34pm and invited the applicant or Staff to respond to the concerns raised by the public.

Mr. Krass stated that at this time, there is not a direct line of access from the Alexander Creek property to the southeast corner of the proposed new development at Knoll Creek. There is a gap that is shown on the preliminary plat, and part of what would be the connection is owned by a different property owner.

Mr. Cadoret stated that when the first phase came through for Knoll Creek, there was an agreement that the pond serve as a stormwater detention basin for the first phase. In that agreement, it was agreed that the Knoll Creek HOA will maintain the pond. The current HOA is responsible for the pond. With phases 2 & 3, Mr. Sallee will need a specific stormwater agreement to allow him to use the existing pond for stormwater detention. Phases 2 & 3 now have joint maintenance responsibilities for the pond along with the HOA for Knoll Creek. The pond is there to benefit the entire community of Knoll Creek.

Mr. Sallee mentioned that the land and the pond are still under contract to be purchased. It has been proposed to the current landowner what the use agreement between the new development and the existing development will look like. It has not been executed yet since Mr. Sallee is not the owner of the property yet.

Mr. Zerr stated that the language of the proposed Staff Recommendation under 1 would contemplate the utilization and access of the detention pond. The applicant in this case would need to obtain access rights in order to utilize that stormwater detention basin as one of the conditions of this case. Mr. Zerr read from section 470.110 of the UDC to give the Commissioners an overview of what should be considered when voting for the case.

Commissioner Urquilla asked who was the current owner of the land to the southeast that is preventing the two subdivisions from connecting?

Mr. Eppert stated that the Alexander Creek subdivision is owned by Mr. Sallee, and the Knoll Creek property is under contract with Mr. Sallee as well.

Chairman Wiggins stated that the previously approved phase of Alexander Creek is to the north and the creek has not been crossed to access the northwest portion of the development. The 12 or so lots from the creek crossing to the southeast corner of Knoll Creek is undeveloped, but is owned by the applicant.

Mr. Krass stated that the proposed connection crosses the Batliner property. There has not been an application for that portion of Alexander Creek currently. It is not planned and it would be contingent on the Batliner property being developed or sold.

Commissioner Urquilla asked if the drawing on the preliminary plat is accurate to what the City would install eventually? The road is planned to look like that, there is not a current developer that is interested in developing that road, correct?

Mr. Krass confirmed that yes, it is accurate.

Motion by Commissioner Urquilla, Seconded by Mayor Turnbow, to accept Staff proposed findings of fact and forward Case #21036 The Estates at Knoll Creek Preliminary Plat to City Council with a recommendation of approval, subject to the outlined condition.

Vote on Motion:

Chairman Wiggins	Aye
Commissioner Faulkner	Aye
Commissioner Bowie	Aye
Commissioner Fizer	Aye
Commissioner Engert	Aye

Commissioner Petermann	Aye
Commissioner Urquilla	Aye
Commissioner Mansur	Aye
Mayor Turnbow	Aye

Motion passed 9-0-0.

PRELIMINARY PLAT

THE ESTATES at KNOLL CREEK

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

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

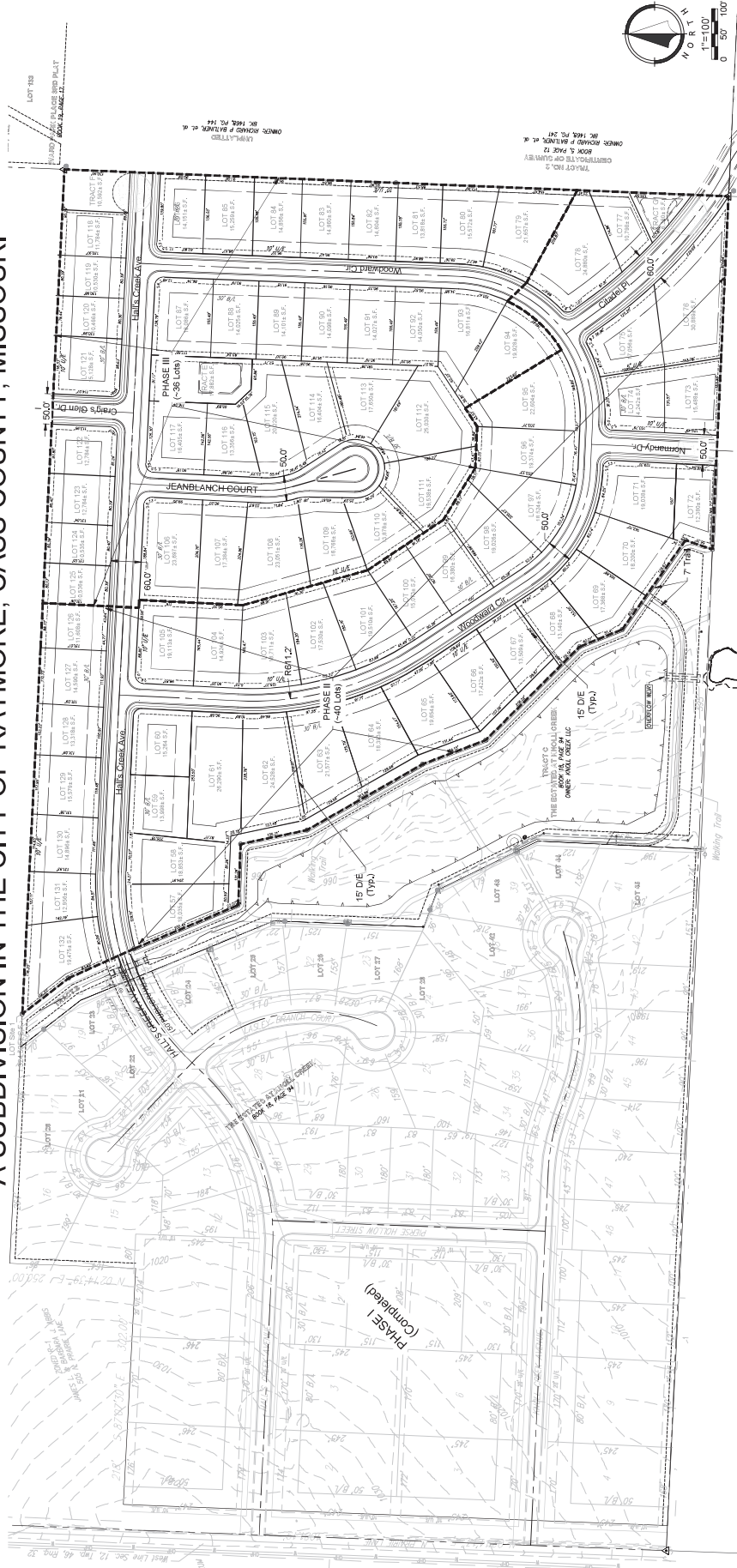
Preliminary Plat

NO.	DATE	DESCRIPTION
1 <td>11/15/2023 <td>Revised Plat</td> </td>	11/15/2023 <td>Revised Plat</td>	Revised Plat
2 <td>11/15/2023 <td>Final Plat</td> </td>	11/15/2023 <td>Final Plat</td>	Final Plat

Renaissance Infrastructure Consulting
1515 WEST 17TH AVENUE, SUITE 200
DENVER, CO 80202
WWW.RI-CORP.COM
800.800.6958

December 13, 2023
City Council Meeting
Page 113 of 150

Sheet
C01



LEGEND

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

Net Developed Development Area = 62.63 ac.
Right of Way Area = 10.73 ac.
Total Open Space = 6.38 ac.
Buffer areas to be screened with berms & landscaping, trees, etc.

Lot No.	Legal Description
132 (Lots 1 thru 132)	Single Family Lots
46 (Lots 1456)	Phase II Lots
49 (Lots 57-76, 85-105, 126-132)	Phase III Lots
36 (Lots 764, 100, 101)	Total Lots

All this part of the southwest quarter of section 12, township 46 north, range 12, west, in the city of Raymore, Cass County, Missouri, as shown on the plat hereof, is to be subdivided into lots, as follows:

Phase I (Completed)

Phase II

Phase III

Lot Dimension Table

Lot No.	Minimum Lot Area	Minimum Lot Depth	Minimum Lot Width	Minimum Lot Front	Minimum Lot Side	Minimum Lot Rear	Minimum Lot Corner
132	10,965 SQ. FT.	100 FT	100 FT	30 FT	30 FT	30 FT	30 FT
46	10,965 SQ. FT.	100 FT	100 FT	30 FT	30 FT	30 FT	30 FT
49	10,965 SQ. FT.	100 FT	100 FT	30 FT	30 FT	30 FT	30 FT





CITY OF RAYMORE
AGENDA ITEM INFORMATION FORM

DATE: Dec. 13, 2021

SUBMITTED BY: Erica Hill

DEPARTMENT: City Clerk

<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Presentation	<input type="checkbox"/> Public Hearing
<input type="checkbox"/> Agreement	<input type="checkbox"/> Discussion	<input type="checkbox"/> Other	

TITLE / ISSUE / REQUEST

Bill 3672 Calling for and establishing the April 5, 2022 Municipal Election

STRATEGIC PLAN GOAL/STRATEGY

4.3.3 Demonstrate our dedication to ethical behavior and transparency

FINANCIAL IMPACT

Award To:
Amount of Request/Contract:
Amount Budgeted:
Funding Source/Account#:

PROJECT TIMELINE

Estimated Start Date	Estimated End Date
----------------------	--------------------

STAFF RECOMMENDATION

Approval

OTHER BOARDS & COMMISSIONS ASSIGNED

Name of Board or Commission:
Date:
Action/Vote:

LIST OF REFERENCE DOCUMENTS ATTACHED

REVIEWED BY:

Jim Feuerborn

BACKGROUND / JUSTIFICATION

The City Charter, Section 9.1, calls for the regular municipal election to be held on the first (1st) Tuesday after the first (1st) Monday in April.

The election will be held on Tuesday, April 5, 2022, for the following officers of the City:

Mayor, three year term: currently held by Kristofer Turnbow

Councilmember Ward 1, two year term: currently held by Reginald Townsend

Councilmember Ward 1, one year term: currently held by Victoria Wills-Scherzer

Councilmember Ward 2, two year term: currently held by Tom Circo

Councilmember Ward 3, two year term: currently held by Jay Holman

Councilmember Ward 4, two year term: currently held by Sonja Abdelgawad

Candidate filing begins Tuesday, Dec. 21, and ends Tuesday, Jan. 18, 2022.

BILL 3672

ORDINANCE

"AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, CALLING FOR AND ESTABLISHING THE DATE OF THE GENERAL MUNICIPAL ELECTION TO BE HELD ON APRIL 5, 2022."

WHEREAS, according to the Raymore City Charter Section 9.1 Municipal Election, the regular municipal election shall be held on the first (1st) Tuesday after the first (1st) Monday in April, or such day as may be mandated by State law.

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

Section 1. The annual election of the officers of the City of Raymore shall be held on the 5th day of April, 2022.

Section 2. That at said election, the following officers shall be elected:

Mayor	(At Large)	Term: 3 years
Councilmember	(Ward 1)	Term: 2 years
Councilmember	(Ward 1)	Term: 1 years
Councilmember	(Ward 2)	Term: 2 years
Councilmember	(Ward 3)	Term: 2 years
Councilmember	(Ward 4)	Term: 2 years

Section 3. The City Clerk of the City of Raymore is directed to comply with the Comprehensive Election Act of 1977 as amended and to give notice as required by law. Candidate filing opens on December 21, 2021, and will close on January 18, 2022.

Section 4. Effective Date. This Ordinance shall become effective after its passage and approval and any parts of other Ordinances in conflict are hereby repealed.

Section 5. 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 13TH DAY OF DECEMBER, 2021.

BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 20TH DAY OF DECEMBER, 2022, 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



CITY OF RAYMORE
AGENDA ITEM INFORMATION FORM

DATE: Dec. 13, 2021

SUBMITTED BY: Jim Cadoret

DEPARTMENT: Development Services

<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Presentation	<input type="checkbox"/> Public Hearing
<input type="checkbox"/> Agreement	<input type="checkbox"/> Discussion	<input type="checkbox"/> Other	

TITLE / ISSUE / REQUEST

Bill 3673: Contract for purchase of real estate

STRATEGIC PLAN GOAL/STRATEGY

2.1: Set the standard for a safe and secure community

FINANCIAL IMPACT

Award To:
Amount of Request/Contract: \$675,000
Amount Budgeted:
Funding Source/Account#: Restricted Revenue

PROJECT TIMELINE

Estimated Start Date	Estimated End Date

STAFF RECOMMENDATION

Approval

OTHER BOARDS & COMMISSIONS ASSIGNED

Name of Board or Commission:
Date:
Action/Vote:

LIST OF REFERENCE DOCUMENTS ATTACHED

Real Estate Contract
Location Map

REVIEWED BY:

Jim Feuerborn

BACKGROUND / JUSTIFICATION

For the past year City staff have actively searched for land to construct a Justice Center for the Police Department and Municipal Court. The selected two tracts of land currently owned by Hawthorn Bank and located on the east side of North Madison Street and north of Pine Street, are centrally located along two arterial roadways in the center of the City. The land consists of 10.85 acres and provides adequate area for a Justice Center and associated parking lot while reserving land for additional City facilities if needed.

City staff negotiated a real estate purchase price of \$675,000 with a tentative closing date of Dec. 28, 2021. Previous actions of City Council placed adequate funding in the restricted revenue account to allow for the land purchase.

BILL 3673

ORDINANCE

"AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, APPROVING AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO PURCHASE 10.85 ACRES OF UNDEVELOPED PROPERTY LOCATED EAST OF NORTH MADISON STREET AND NORTH OF PINE STREET IN THE AMOUNT OF \$675,000."

WHEREAS, the City Council has desired to purchase land area to allow for future development of a Municipal Justice Center; and

WHEREAS, the land proposed to be purchased is in a centralized location in the City adjacent to 58 Highway; and

WHEREAS, the City Council has determined that the purchase price of the land is within the budget allocated for the project and furthers several goals of the City Strategic Plan for a safe and secure City.

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

Section 1. The Mayor is directed and authorized to enter into a contract in the amount of \$675,000 with Hawthorn Bank to purchase the undeveloped property located east of North Madison Street and north of Pine Street and legally described as follows:

Tract 1:

ALL THAT PART OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 46, RANGE 32 IN THE CITY OF RAYMORE, CASS COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 2°30'31" WEST, ALONG THE EAST LINE OF SAID QUARTER SECTION, A DISTANCE OF 268.13 FEET; THENCE NORTH 87°38'43" WEST, A DISTANCE OF 25.00 FEET TO THE SOUTHEAST CORNER OF LOT 3, HERITAGE PROFESSIONAL PARK, A SUBDIVISION IN SAID CITY, COUNTY AND STATE AS RECORDED IN BOOK 9 AT PAGE 28; SAID POINT ALSO BEING ON THE WEST RIGHT OF WAY LINE OF NORTH MADISON STREET AS NOW ESTABLISHED AND THE POINT OF BEGINNING OF THE TRACT TO BE HEREIN DESCRIBED; THENCE CONTINUING NORTH 87°38'43" W, ALONG THE SOUTH LINE OF SAID TRACT 3, A DISTANCE OF 65.02 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 125°43'38", FOR AN ARC DISTANCE OF 54.86 FEET TO A POINT OF REVERSE CURVE ON THE NORTHEASTERLY RIGHT OF WAY LINE OF MISSOURI STATE HIGHWAY NO. 58; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 868.51 FEET, A CENTRAL ANGLE OF 11°09'30", FOR AN ARC DISTANCE OF 169.14 FEET TO A POINT ON SAID WEST RIGHT OF WAY LINE; THENCE NORTH 2°30'31" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 185.63 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 9,164 SQUARE FEET OR 0.210 ACRES, MORE OR LESS.

Tract 2:

ALL THAT PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 46, RANGE 32 IN THE CITY OF RAYMORE, CASS COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTH 2°30'31" WEST, ALONG THE WEST LINE OF SAID QUARTER SECTION, A DISTANCE OF 136.50 FEET; THENCE SOUTH 88°10'50" EAST, ALONG THE NORTH LINE OF HERITAGE PLAZA - LOT 10 AND THE SOUTH LINE OF HERITAGE HILLS, LOTS 1 THRU 45, BOTH SUBDIVISIONS OF RECORD, A DISTANCE OF 320.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 10, AND THE POINT OF BEGINNING OF THE PART TO BE HEREIN DESCRIBED; THENCE SOUTH 88°10'50" EAST, CONTINUING ALONG SAID SOUTH SUBDIVISION LINE, A DISTANCE OF 312.39 FEET TO THE SOUTHWEST CORNER OF LOT 5 IN SAID SUBDIVISION AND THE NORTHWEST CORNER OF THE TRACT OF LAND DESCRIBED IN THE GENERAL WARRANTY DEED RECORDED SEPTEMBER 15, 2011 IN BOOK 3488 AT PAGE 563; THENCE SOUTH 1°45'15" WEST, ALONG THE EAST LINE OF SAID TRACT, A DISTANCE OF 240.00 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE SOUTH 88°10'50" EAST, ALONG THE SOUTH LINE OF SAID TRACT, A DISTANCE OF 172.20 FEET TO THE SOUTHEAST CORNER THEREOF AND A POINT ON THE WEST LINE OF HERITAGE HILLS, LOTS 136 THRU 157, A SUBDIVISION OF RECORD; THENCE SOUTH 1°45'15" WEST, ALONG THE WEST LINE OF SAID SUBDIVISION, A DISTANCE OF 471.94 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF PINE STREET AS ESTABLISHED BY LAST SAID SUBDIVISION; THENCE NORTH 88°17'07" WEST, ALONG SAID RIGHT OF WAY LINE AND THE NORTH LINE OF LOTS 3 AND 4, HERITAGE PLAZA, SECOND PLAT, A SUBDIVISION OF RECORD, A DISTANCE OF 759.57 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF MISSOURI STATE HIGHWAY NO. 58; THENCE NORTH 2°54'07" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 26.18 FEET TO A POINT OF CURVE; THENCE CONTINUING NORTHWESTERLY ALONG SAID RIGHT OF WAY LINE, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 868.51 FEET, A CENTRAL ANGLE OF 14°03'52", FOR AN ARC DISTANCE OF 213.19 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF NORTH MADISON STREET; THENCE NORTH 2°30'31" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 315.67 FEET TO THE SOUTHWEST CORNER OF AFORESAID HERITAGE PLAZA, LOT 10; THENCE SOUTH 88°10'50" EAST, ALONG THE SOUTH LINE OF SAID LOT 10, A DISTANCE OF 290.00 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 2°30'31" EAST, ALONG THE EAST LINE OF SAID LOT, A DISTANCE OF 160.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 463,465 SQUARE FEET OR 10.640 ACRES, MORE OR LESS.

Section 2. The Mayor is authorized to execute the contract document attached as Exhibit A.

Section 3. 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 4. 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 13TH DAY OF DECEMBER, 2021.

BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 20TH 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



COMMERCIAL REAL ESTATE SALES CONTRACT

PARTIES: This contract ("Contract") is made between:

SELLER: _____ HAWTHORN BANK _____, and
BUYER: _____ CITY OF RAYMORE _____, and is effective as of the
date of acceptance on the last signature on this Contract (the "Effective Date").

2. PROPERTY: Seller agrees to sell to Buyer and Buyer agrees to purchase from Seller the real estate described in Exhibit A (Legal Description) attached hereto, such to be verified by the Title Company, together with any buildings and improvements thereon, and all personal property used in the operation of the buildings and improvements, including, if any, all mechanical systems, fixtures and equipment, heating, ventilating and air-conditioning equipment, electrical systems and lighting, plumbing equipment and fixtures, floor coverings, storm windows and doors, screens and awnings, keys, and including the following:

all of which is commonly known and numbered as _____ SEE LEGAL DESCRIPTION EXHIBIT "A" (pages 5-7), in the City of
RAYMORE in _____ CASS County, State of _____ MISSOURI _____.
Such real estate and other property shall be collectively referred to in this Contract as the "Property".

3. EXCEPTIONS: The Property shall be subject, however, to the Permitted Exceptions (as defined in the paragraph entitled "Title Insurance"), zoning ordinances and laws and the following existing leases or tenancies: _____

4. PURCHASE PRICE: The Purchase Price is _____ Six Hundred Seventy Five Thousand _____ DOLLARS
(\$ 675,000.00 _____) which Buyer agrees to pay as follows:

a. _____ Ten Thousand _____ DOLLARS (\$ 10,000.00 _____)
at the signing of this Contract as Earnest Money, such to be deposited upon execution of this Contract within (10 days if the Property is located in Missouri) or (5 days if the Property is located in Kansas), in the insured trust or escrow account of
_____ Coffelt Land Title _____ ("Escrow Agent") as part of the consideration of the sale;

b. The balance to be paid in the following manner: _____ Six Hundred Sixty Five Thousand _____ DOLLARS
(\$ 665,000.00 _____), in guaranteed funds or cashier's check at Closing (as defined in this Contract),
adjusted at Closing for pro-rations, closing costs and other agreed expenses, and [state other payment or financing terms if any]

5. CLOSING AND POSSESSION DATE(S): Subject to all the provisions of this Contract, the closing of this Contract (the "Closing") shall take place at the offices of _____ Coffelt Land Title _____
on the _____ 28th day of _____ December _____, 2021 or prior thereto by mutual consent, and possession shall be delivered upon closing
or as follows: _____

6. EXISTING FINANCING: Unless otherwise provided in this Contract, Seller shall make any payments required on existing mortgages or deeds of trust until Closing. If this Contract provides that the Property is being sold subject to any existing mortgage or deed of trust, Buyer shall, at Closing, reimburse Seller for any principal reductions not already considered in computing payments of purchase price and for any deposits held by the holder of the mortgage or deed of trust that are transferred to Buyer.

7. PRORATIONS: The rents, income and expenses from the Property, and the interest on any existing mortgages or deeds of trust to which this sale is made subject, shall be prorated between Seller and Buyer as of Closing. Seller shall pay all general real estate taxes levied and assessed against the Property, and all installments of special assessments for the years prior to the calendar year of Closing. All such taxes and installments of special assessments becoming due and accruing during the calendar year of Closing shall be prorated between Seller and Buyer on the basis of such calendar year, as of Closing. If the amount of any tax or special assessment cannot be ascertained at Closing, pro-ratio shall be computed on the amount for the preceding year's tax or special assessment. Buyer shall assume and pay all such taxes and installments of special assessments accruing after the Closing.

8. TITLE INSURANCE: Seller shall deliver and pay for an owner's ALTA title insurance policy insuring marketable fee simple title in Buyer in the amount of the Purchase Price as of the time and date of recording of Seller's Warranty Deed (the "Deed"), subject only to the Permitted Exceptions defined below. Seller shall, as soon as possible and not later than _____ December 17, 2021 _____ days after the Effective Date of this Contract, cause to be furnished to Buyer a current commitment to issue the title policy (Title Commitment), to be issued through _____ Coffelt Land Title _____ (the "Title Company"). Buyer shall have _____ Five _____ (5) days after receipt of the Title Commitment (the "Title Review Period") in which to notify Seller in writing of any objections Buyer has regarding any matters shown or referred to in the Title Commitment. Any matters which are set forth in the Title Commitment and to which Buyer does not object within the Review Period shall be deemed to be permitted exceptions to the status of Seller's title (the "Permitted Exceptions"). With regard to items to which Buyer does object within the Review Period, Seller shall have _____ Five _____ (5) days after receipt of Buyer's written notice of objections to cure such objections ("Title Cure Period").

If Seller does not cure the objections by the end of the Title Cure Period or if Seller and Buyer have not agreed to extend the Title Cure Period by amending this Contract, then this Contract shall automatically be terminated unless Buyer waives the objections no later than Ten (10) days after the end of the Title Cure Period.

(Check one) Seller Buyer assume responsibility for paying for a survey and shall order a survey of the Property as soon as possible and not later than Fifteen (15) days after the Effective Date of this Contract. Unless otherwise objected to in writing by Buyer or Seller within five (5) days of delivery of the survey, the survey will be accepted as being correct for the Property and there will be no objections to such.

9. INSPECTIONS: Seller shall grant Buyer reasonable access to the Property for Twenty One (21) days after the Effective Date of this Contract (the "Inspection Period") for the purpose of inspecting the physical condition of the Property. Buyer's inspection rights shall include performing soil tests, environmental tests or audits, foundation and mechanical inspections and such other inspections or surveys as Buyer may reasonably request. Buyer agrees to repair any damage to the Property arising from these inspections and to indemnify, defend and hold Seller harmless from and against all claims, costs, demands and expenses, including without limitation, reasonable attorney's fees, court costs and other legal expenses, resulting from these inspections. Buyer's obligations imposed by this paragraph shall survive termination of this Contract. Buyer agrees to provide Seller with a copy of any written reports resulting from such inspections within Five (5) days of the completion of said inspections. With regard to any deficiencies identified during the inspection by Buyer which Buyer requests be corrected, Seller shall have Five (5) days (the "Cure Period") after seller's receipt of Buyer's written notice of such inspection issues to define in an Amendment to this Contract how and when such deficiencies will be cured. If Seller elects not to cure the deficiencies within the time frame defined in such Amendment, then this Contract shall automatically be terminated unless Buyer waives the objections no later than Ten (10) days after the end of the Cure Period. Buyer shall be deemed to be thoroughly acquainted and satisfied with the physical condition of the Property, other than as set forth in the paragraph entitled "INSURANCE; MAINTENANCE; CASUALTY; CONDEMNATION; CHANGE OF CONDITION" of this Contract. In addition, Buyer, or Buyer's representatives, may re-inspect the Property before Closing upon reasonable notice to Seller

10. DUE DILIGENCE: Buyer will have Twenty One (21) days after the Effective Date of this Contract to perform due diligence (the "Due Diligence Period") for the purpose of exploring and obtaining approval of governmental authorities for the intended purpose of the Property and any changes in zoning, if necessary. Upon presentation by Buyer to Seller of the written refusal(s) of such governmental authorities to Buyer's requests for approval of such intended purposes and zoning prior to the expiration of the Due Diligence Period, Buyer may deliver written notification to Seller to cancel this Contract and this Contract will be terminated. In the absence of such termination notice, the Inspections and Due Diligence shall be deemed to be satisfactory to Buyer.

11. REPRESENTATIONS: Buyer acknowledges that neither Seller nor any party on Seller's behalf has made, nor do they hereby make, any representations as to the past, present or future condition, income, expenses, operation or any other matter or thing affecting or relating to the Property except as expressly set forth in this Contract. Buyer agrees to assume full responsibility for completing Buyer's Due Diligence in such a manner as to answer all questions necessary to make the decision to purchase the Property.

12. REAL ESTATE BROKER: Seller and Buyer agree that Reece Commercial Real Estate and Reece Commercial Real Estate, BROKER(S), identified in the Commercial Agency and Broker Disclosure Addendum which is a part of this Contract, is(are) the only real estate broker(s) negotiating this sale, and Seller agrees to pay a sales commission of Six (6) percent of the Purchase Price pursuant to the agreement between Seller and BROKERS(S). Any party to this Contract through whom a claim to any broker's, finder's or other fee is made, contrary to the representations made above in this paragraph, shall indemnify, defend and hold harmless the other party to this Contract from any other loss, liability, damage, cost or expense, including without limitation, reasonable attorney's fees, court costs and other legal expenses paid or incurred by the other party, that is in any way related to such a claim. The provisions of this paragraph shall survive Closing or termination of this Contract.

13. DELIVERY OF DEED; PAYMENT; DISBURSEMENT OF PROCEEDS: At or before Closing, Seller agrees to properly execute and deliver into escrow the Deed, a Bill of Sale for any non-realty portion of the Property, and all other documents and funds necessary to complete the Closing. The Deed shall convey to Buyer marketable fee simple title to the Property, free and clear of all liens and encumbrances, other than the Permitted Exceptions. At or before the Closing, Seller and Buyer each agree to deliver into escrow a cashier's check or guaranteed funds sufficient to satisfy their respective obligations under this Contract. Seller understands that, unless otherwise agreed, disbursement of proceeds will not be made until after the Deed or the instrument of conveyance, and, if applicable, the mortgage/deed of trust have been recorded and the Title Company can issue the title policy with only the Permitted Exceptions.

14. INSURANCE; MAINTENANCE; CASUALTY; CONDEMNATION; CHANGE OF CONDITION: Seller agrees to maintain Seller's current fire and extended coverage insurance, if any, on the Property until Closing. Seller shall do ordinary and necessary maintenance, upkeep and repair to the Property through Closing. If, before Closing, all or any part of the Property is taken by eminent domain, or if a condemnation proceeding has been filed or is threatened against the Property or any part thereof, or if all or any part of the Property is destroyed or materially damaged after the Inspection Period, Seller shall promptly provide written notice to Buyer of any such event. UPON NOTICE OF SUCH OCCURRENCE, Buyer may re-inspect the Property and may, by written notice to Seller within ten (10) days after receiving Seller's notice, terminate this Contract.

Unless this Contract is so terminated, it shall remain in full force and effect, and Seller shall, at Closing, assign and transfer to Buyer all of Seller's right, title and interest in and to any awards that may be made for any taking and any insurance proceeds payable on account of casualty. If a non-material change in condition occurs with respect to the Property, Seller shall remedy such change before Closing. The provisions of this paragraph shall survive Closing or termination of this Contract.

15. FOREIGN INVESTMENT: Seller represents that Seller is not a foreign person as described in the Foreign Investment in Real Property Tax Act and agrees to deliver a certificate at Closing to that effect which shall contain Seller's tax identification number.

16. TERMINATION: If this Contract is terminated by either party pursuant to a right expressly given in this Contract, Buyer shall be entitled to an immediate return of the Earnest Money Deposit, and neither party shall have any further rights or obligations under this Contract except as otherwise stated in this Contract.

17. DEFAULT AND REMEDIES: Seller or Buyer shall be in default under this Contract if either fails to comply with any material covenant, agreement or obligation within any time limits required by this Contract. Following a default by either Seller or Buyer under this Contract, the other party shall have the following remedies, subject to the provisions of the paragraph entitled "DISPOSITION OF EARNEST MONEY DEPOSIT AND OTHER FUNDS AND DOCUMENTS" in this Contract:

(a) If Seller defaults, Buyer may (i) specifically enforce this Contract and recover damages suffered by Buyer as a result of the delay in the acquisition of the Property; or (ii) terminate this Contract by written notice to Seller and, at Buyer's option, pursue any remedy and damages available at law or in equity. If Buyer elects to terminate this Contract, the Earnest Money Deposit shall be returned to Buyer upon written demand.

(b) If Buyer defaults, Seller may (i) specifically enforce this Contract and recover damages suffered by Seller as a result of the delay in the sale of the Property; or (ii) terminate this Contract by written notice to Buyer and, at Seller's option, either retain the Earnest Money Deposit as liquidated damages as Seller's sole remedy (the parties recognizing that it would be extremely difficult to ascertain the extent of actual damages caused by Buyer's breach, and that the Earnest Money Deposit represents as fair an approximation of such actual damages as the parties can now determine), or pursue any other remedy and damages available at law or in equity. If, as a result of a default under this Contract, either Seller or Buyer employs an attorney to enforce its rights, the defaulting party shall, unless prohibited by law, reimburse the non-defaulting party for all reasonable attorneys' fees, court costs and other legal expenses incurred by the non-defaulting party in connection with the default.

18. DISPOSITION OF EARNEST MONEY DEPOSIT AND OTHER FUNDS AND DOCUMENTS: The Escrow Agent shall not distribute the Earnest Money Deposit or other escrowed funds or documents, once deposited, notwithstanding any other terms of this Contract providing for forfeiture or refund of the Earnest Money Deposit, without the written consent of all parties to this Contract. A party's signature on a closing statement prepared by the Escrow or Closing Agent shall constitute such consent. In the absence of either written consent or written notice of a dispute, failure by either Buyer or Seller to respond in writing to a certified letter from the Escrow Agent within Ten (10) days of receipt, or failure by either Buyer or Seller to make written demand upon the other party and upon the Escrow Agent for return or forfeiture of the Earnest Money Deposit, other escrowed funds or documents within Five (5) days after receiving written notice of cancellation of this Contract, shall constitute consent to the distribution of all funds and documents deposited with the Escrow Agent as suggested in any such certified letter or written demand. If a dispute arises over the disposition of funds or documents deposited with the Escrow Agent that results in litigation, any attorney's fees, court costs and other legal expenses incurred by the Escrow Agent in connection with such dispute shall be reimbursed from the Earnest Money Deposit or from other funds deposited with the Escrow Agent. Seller and Buyer release all brokers and licensees from any and all liability in regards to this Contract, for cancellation of this Contract and disbursing the Earnest Money Deposit or other escrowed funds or documents.

19. ENTIRE AGREEMENT AND MANNER OF MODIFICATION: This Contract, and any attachments or addenda hereto, constitute the complete agreement of the parties concerning the Property, supersede all other agreements and may be modified only by initialing changes in this Contract or by written agreement.

20. NOTICES: All notices, consents, approvals, requests, waivers, objections or other communications (collectively "notices") required under this Contract (except notice given pursuant to the paragraph entitled "DISPOSITION OF EARNEST MONEY DEPOSIT AND OTHER FUNDS AND DOCUMENTS" in this Contract) shall be in writing and shall be served by hand delivery, by prepaid U. S. Postal Service certified mail, return receipt requested, or by reputable overnight delivery service guaranteeing next-day delivery and providing a receipt. All notices shall be addressed to the parties at the respective addresses as set forth below, except that any party may, by notice in the manner provided above, change this address for all subsequent notices. Notices shall be deemed served and received upon the earlier of the third day following the date of mailing (in the case of notices mailed by certified mail) or upon delivery (in all other cases). A party's failure or refusal to accept service of a notice shall constitute delivery of the notice.

21. DEADLINE FOR ACCEPTANCE: Buyer's offer to purchase the Property from Seller shall expire if Seller has not accepted this Contract by signing and delivering a fully executed copy to Buyer, on or before the earlier of (i) _____, 20__ or (ii) Buyer delivering written notice to Seller that Buyer's offer to enter into this Contract is withdrawn.

22. TIME AND EXACT PERFORMANCE ARE OF THE ESSENCE UNDER THIS CONTRACT.

23. **ADDENDA:** The following Addenda (riders, supplements, etc.) are attached hereto and are a part of this Contract **(Check Those Which Are Applicable):**

- Exhibit A (Legal Description)
- Commercial Agency & Brokerage Disclosure Addendum
- Other _____ Fraud Caution Advice

- Other _____
- Other _____
- Other _____

24. **ADDITIONAL TERMS:**

Earnest: Money placed in escrow with Coffelt Land Title is earned by the Seller following the 21 day Due Diligence period in contract.

CAREFULLY READ THE TERMS HEREOF BEFORE SIGNING. WHEN SIGNED BY ALL PARTIES, THIS DOCUMENT BECOMES PART OF A LEGALLY BINDING CONTRACT. IF NOT UNDERSTOOD, CONSULT AN ATTORNEY BEFORE SIGNING. THE PARTIES EXECUTING THIS CONTRACT REPRESENT AND WARRANT THAT THEY ARE LEGALLY AUTHORIZED TO EXECUTE THIS CONTRACT.

All parties agree that this transaction can be conducted by electronic means, including email, according to the Uniform Electronic Transaction Act as adopted in Kansas and Missouri.

SELLER: _____ HAWTHORN BANK _____

BUYER: _____ CITY OF RAYMORE _____

By: _____
Date _____

By: _____
Date _____

Name & Title: _____

Name & Title: _____

By: _____
Date _____

By: _____
Date _____

Name & Title: _____

Name & Title: _____

Address: _____
Street _____

Address: _____
Street _____

City _____ State _____ Zip _____

City _____ State _____ Zip _____

Telephone #: _____

Telephone #: _____

TAX ID # _____

TAX ID # _____

FOR INFORMATION ONLY—NOT PARTIES TO THE CONTRACT

Listing Broker: _____ Reece Commercial Real Estate _____

Telephone #: _____ (816) 524-7272 _____

Listing Agent: _____ George Jump _____

Telephone #: _____ (913) 558-6828 _____

Selling Broker: _____ Reece Commercial Real Estate _____

Telephone #: _____ (816) 5247272 _____

Selling Agent: _____ George Jump _____

Telephone #: _____ (913)558-6828 _____

Escrow Agent: _____ Coffelt Land Title _____

Telephone #: _____ (816) 581-2200 _____

Closing Agent: _____ Stacey Brodersen _____

Telephone #: _____ (816) 581-2200 _____

Approved by Legal Counsel of the Kansas City Regional Association of REALTORS® for exclusive use by its REALTOR® members. No warranty is made or implied as to the legal validity or adequacy of this Contract, or that it complies in every respect with the law or that its use is appropriate for all situations. Local law, customs and practices, and differing circumstances in each transaction may dictate that amendments to this Contract be made. Last revised 11/16. All previous versions of this document may no longer be valid. Copyright January 2021.

EXHIBIT "A"

COMMERCIAL REAL ESTATE CONTRACT

SELLER: HAWTHORN BANK

BUYER: CITY OF RAYMORE

TRACT 1

ALL THAT PART OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 46, RANGE 32 IN THE CITY OF RAYMORE CASS COUNTY, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 2°30'31" WEST, ALONG THE EAST LINE OF SAID QUARTER SECTION, A DISTANCE OF 268.13 FEET; THENCE NORTH 87°38'43" WEST, A DISTANCE OF 25.00 FEET TO THE SOUTHEAST CORNER OF LOT 3, HERITAGE PROFESSIONAL PARK, A SUBDIVISION IN SAID CITY COUNTY AND STATE RECORDED IN BOOK 9 AT PAGE 28; SAID POINT ALSO BEING ON THE WEST RIGHT OF WAY LINE OF NORTH MADISON STREET AS NOW ESTABLISHED AND THE POINT OF BEGINNING OF THE TRACT TO BE HEREIN DESCRIBED; THENCE CONTINUING N 89°36'43" W, ALONG THE SOUTH LINE OF SAID TRACT 3, A DISTANCE OF 65.02 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 25.00 FEET A CENTRAL ANGLE OF 125°43'38", FOR AN ARC DISTANCE OF 54.86 FEET TO A POINT OF REVERSE CURVE ON THE NORTHEASTERLY RIGHT OF WAY LINE OF MISSOURI STATE HIGHWAY NO. 58; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 868.63 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT CONTAINS 9,164 SQUARE FEET OR 0.210 ACRES, MORE OR LESS.

EXHIBIT "A"

COMMERCIAL REAL ESTATE CONTRACT

SELLER: HAWTHORN BANK

BUYER: CITY OF RAYMORE

TRACT 2

ALL THAT PART OF THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 46, RANGE 32 IN THE CITY OF RAYMORE, CASS COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMENCING A THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE SOUTH $2^{\circ}30'31''$ WEST, ALONG THE WEST, LINE OF SAID QUARTER SECTION, A DISTANCE OF 136.50 FEET, THENCE SOUTH $88^{\circ}-10'-50''$ EAST, ALONG THE NORTH LINE OF HERITAGE PLAZA – LOT 10 AND THE SOUTH LINE OF HERITAGE HILLS LOTS 1 THRU 45, BOTH SUBDIVISIONS OF RECORD, A DISTANCE OF 320 FEET TO THE NORTHEAST CORNER OF SAID LOT 10, AND THE POINT OF BEGINNING OF THE PART TO BE HEREIN DESCRIBED; THENCE SOUTH $88^{\circ}-10'-50''$ EAST, CONTINUING ALONG SAID SOUTH SUBDIVISION LINE, A DISTANCE OF 312.39 FEET TO THE SOUTHWEST CORNER OF LOT 5 IN LAST SAID SUBDIVISION AND THE NORTHWEST CORNER OF THE TRACT OF LAND DESCRIBED IN THE GENERAL WARRANTY DEED RECORDED SEPTEMBER 15, 2011 IN BOOK 3488 AT PAGE 563; THENCE SOUTH $1^{\circ}-45'-15''$ WEST, ALONG THE EAST LING OF SAID TRACT, A DISTANCE OF 240.00 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE SOUTH $88^{\circ}-10'-50''$ EAST, ALONG THE SOUTH LINE OF SAID TRACT, A DISTANCE OF 172.20 FEET TO THE SOUTHEAST CORNER THEREOF AND A POINT ON THE WEST LINE OF HERITAGE HILLS, LOTS 136 THRU 157, A SUBDIVISION OF RECORD, THENCE SOUTH $1^{\circ}-45'-15''$ WEST, ALONG THE WEST LINE OF SAID SUBDIVISION, A DISTANCE OF 471.94 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF PINE STREET AS ESTABLISHED BY LAST SAID SUBDIVISION; THENCE NORTH $88^{\circ}-17'-07''$ WEST ALONG SAID RIGHT OF WAY LINE AND THE NORTH LINE OF LOTS 3 AND 4, HERITAGE PLAZA, SECOND PLAT, A SUBDIVISION OF RECORD, A DISTANCE OF 759.57 FEET TO A POINT OF EAST RIGHT OF WAY LINE OF MISSOURI STATE HIGHWAY NO 58; THENCE NORTH $2^{\circ}-54'-07''$ EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 26.18 FEET TO A POINT OF CURVE;

THENCE CONTINUING NORTHWESTERLY ALONG SAID RIGHT OF WAY LINE, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 868.51 FEET, A CENTRAL ANGLE OF 14°03'52", FOR AN ARC DISTANCE OF 213.19 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF NORTH MADISON STREET; THENCE NORTH 2°-30'-31" EAST, ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 315.67 FEET TO THE SOUTHWEST CORNER OF AFORSAID HERITAGE PLAZA, LOT 10; THENCE SOUTH 88°-10'-50" EAST, ALONG THE SOUTH LINE OF SAID LOT 10, A DISTANCE OF 290.00 FEET TO THE SOUTHEAST CORNER THEREOF; NORTH 2°-30'-31" EAST, ALONG THE EAST LINE OF SAID LOT, A DISTANCE OF 160.00 FEET OR 10.640 ACRES MORE OR LESS.

THE ABOVE DESCRIBED TRACT CONTAINS 463,465 SQUARE FEET OR 10.64 ACRES MORE OR LESS.



COMMERCIAL AGENCY AND BROKERAGE DISCLOSURE ADDENDUM

SELLER/LANDLORD: HAWTHORN BANK

BUYER/TENANT: CITY OF RAYMORE

PROPERTY ADDRESS: 10.66 ACRES PARCEL ID 2267861 Raymore Cass MO 64083
Street Address City County State Zip

DATE OF CONTRACT: _____

THE FOLLOWING DISCLOSURE IS MADE IN COMPLIANCE WITH MISSOURI AND KANSAS REAL ESTATE LAWS AND RULES AND REGULATIONS. APPLICABLE SECTIONS BELOW MUST BE CHECKED, COMPLETED, SIGNED AND DATED FOR BOTH SELLER AND BUYER

Seller/Landlord and Buyer/Tenant acknowledge that the real estate Licensee involved in this transaction may be acting as agents of the Seller/Landlord, agents of the Buyer/Tenant, Transaction Brokers or *(in Missouri only)* Disclosed Dual Agents. **LICENSEES ACTING AS AN AGENT OF THE SELLER/LANDLORD HAVE A DUTY TO REPRESENT THE SELLER'S/LANDLORD'S INTEREST AND WILL NOT BE THE AGENT OF THE BUYER/TENANT. INFORMATION GIVEN BY THE BUYER/TENANT TO A LICENSEE ACTING AS AN AGENT OF THE SELLER/LANDLORD WILL BE DISCLOSED TO THE SELLER/LANDLORD. LICENSEES ACTING AS AN AGENT OF THE BUYER/TENANT HAVE A DUTY TO REPRESENT THE BUYER'S/TENANT'S INTEREST AND WILL NOT BE AN AGENT OF THE SELLER/LANDLORD. INFORMATION GIVEN BY THE SELLER/LANDLORD TO A LICENSEE ACTING AS AN AGENT OF THE BUYER/TENANT WILL BE DISCLOSED TO THE BUYER/TENANT. LICENSEES ACTING IN THE CAPACITY OF A TRANSACTION BROKER ARE NOT AGENTS FOR EITHER PARTY AND DO NOT ADVOCATE THE INTERESTS OF EITHER PARTY. LICENSEES ACTING AS DISCLOSED DUAL AGENTS ARE ACTING AS AGENTS FOR BOTH THE SELLER/LANDLORD AND THE BUYER/TENANT. (Note: A separate Dual Agency Disclosure Addendum is required). SELLER/LANDLORD AND BUYER/TENANT HEREBY ACKNOWLEDGE THAT THE BROKERAGE RELATIONSHIPS WERE DISCLOSED TO THEM OR THEIR RESPECTIVE AGENTS AND/OR TRANSACTION BROKERS NO LATER THAN THE FIRST SHOWING, UPON FIRST CONTACT, OR IMMEDIATELY UPON THE OCCURRENCE OF ANY CHANGE TO THAT RELATIONSHIP.**

Licensee Assisting Seller/Landlord is acting as: *(Check applicable)*

- Seller's/Landlord's Agent
- Designated Seller's/Landlord's Agent (Supervising Broker acts as Transaction Broker)
- Transaction Broker
- Disclosed Dual Agent *(Missouri only-Disclosed Dual Agency Addendum is required)*
- N/A-Seller(s) is not represented
- Sub Agent

Licensee Assisting Buyer/Tenant is acting as: *(Check applicable)*

- Seller's/Landlord's Agent
- Buyer's/Tenant's Agent
- Designated Seller's/Landlord's Agent (Supervising Broker acts as Transaction Broker)
- Designated Buyer's/Tenant's Agent (Supervising Broker acts as Transaction Broker)
- Transaction Broker
- Disclosed Dual Agent *(Missouri only-Disclosed Dual Agency Addendum is required)*
- N/A, Buyer(s) is not represented
- Sub Agent

PAYMENT OF COMMISSION: All licensees(s) indicated above will be paid a commission at closing of the sale of the property as follows: (check applicable paragraph)

- Seller/Landlord to Pay all Licensees.** All Licensees(s) will be paid from the Seller's funds at closing according to the terms of the Listing or other Commission Agreement.
- Buyer/Tenant to Pay Buyer's Agent.** Seller/Landlord's Licensee, if any, will be paid from the Seller's funds at closing according to the terms of the Listing Agreement. Buyer/Tenant's Agent will be paid from the Buyer's funds according to the terms of the Buyer/Tenant Agency Agreement.

CAREFULLY READ THE TERMS HEREOF BEFORE SIGNING. WHEN SIGNED BY ALL PARTIES, THIS DOCUMENT BECOMES PART OF A LEGALLY BINDING CONTRACT. IF NOT UNDERSTOOD, CONSULT AN ATTORNEY BEFORE SIGNING. THE PARTIES EXECUTING THIS CONTRACT REPRESENT AND WARRANT THAT THEY ARE LEGALLY AUTHORIZED TO DO SO.

Licensees hereby certify that they are licensed to sell real estate in the state in which the Property is located.

SELLER/LANDLORD _____ DATE _____ BUYER/TENANT _____ DATE _____

SELLER/LANDLORD _____ DATE _____ BUYER/TENANT _____ DATE _____

LICENSEE ASSISTING SELLER/LANDLORD _____ DATE _____ LICENSEE ASSISTING BUYER/TENANT _____ DATE _____

Don't Let Scam Artists Steal Your Money!

Because you are going to be involved in a commercial real estate transaction where money is changing hands, you are a potential target for cyber-criminals. These sophisticated criminals could:

- Try to hack into your email account or the email of other persons involved in your transaction and direct you to send a wire to the hacker's account.
- They can even send you emails that appear to be from your agent, your closer or another trusted source!

WHEN YOU ARE USING REECE COMMERCIAL, WE WILL NEVER ASK YOU TO WIRE MONEY VIA EMAIL, EVER!

If you receive wiring instructions, even if it appears legitimate, do not send money to that account. Always call to verify such instructions with the closing company or attorney. When verifying such instructions, remember:

- Do not use a phone number or other contact information from an email.
- Use a business number from another source (such as the closing company's or attorney's website) to make sure you are actually talking to your closer and not someone intent on stealing your money.

I acknowledge the above information:

(Buyer/Seller) (Date)

(Buyer/Seller) (Date)

Date Presented _____



Published: 12/15/2021
Scale: 1 in = 187.08 ft



Miscellaneous

PROCLAMATION

WHEREAS, Cherie Turney, Executive Director of the Raymore Chamber of Commerce, is leaving the Chamber after 17 years of dedicated service to the Raymore community, businesses, and Raymore-Peculiar School District; and

WHEREAS, Ms. Turney has coordinated events designed to promote the betterment of Raymore businesses and to produce resources necessary to operate the Chamber through promotional and networking opportunities; and

WHEREAS, Chamber events include the annual "Bill McDaniel Classic" golf tournament hosted by the Raymore Chamber of Commerce, the Annual Pumpkin Auction for scholarships, as well as Raymore Day at the "K" to name a few; and

WHEREAS, Ms. Turney has volunteered in the community throughout the years with events such as the Holiday Gift Mart, the Raymore Festival in the Park, and was selected to be Grand Marshal of the Festival in the Park Parade in 2018; and

WHEREAS, Ms. Turney has expertly coordinated the Community Guide and Directory, Chamber Membership updates, New Residents Packets, Chamber Website, Monthly Membership Luncheons, Ribbon Cuttings and Ground Breakings, and support for new and existing businesses alike.

NOW THEREFORE, I, Kristofer P. Turnbow, Mayor of the City of Raymore, Missouri, do hereby express and proclaim our most sincere appreciation and gratitude for Cherie's dedication and commitment to Raymore's businesses and residents, and congratulate her on a job well done.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Raymore to be affixed this 13th day of December, 2021.

Kristofer P. Turnbow, Mayor



THE RAYMORE CITY COUNCIL HELD A WORK SESSION ON MONDAY, DECEMBER 6, 2021, AT 7:00 P.M., AT RAYMORE CITY HALL, 100 MUNICIPAL CIRCLE. PRESENT: MAYOR TURNBOW, COUNCILMEMBERS ABDELGAWAD, BARBER, BERENDZEN, BURKE, III, CIRCO, HOLMAN, TOWNSEND, AND WILLS-SCHERZER. ALSO PRESENT: CITY MANAGER JIM FEUERBORN, ASSISTANT CITY MANAGER MIKE EKEY, CITY ATTORNEY JONATHAN ZERR, AND CITY STAFF.

A. Presentation - Cass County Sheriff Jeff Weber

Sheriff Weber presented information to the Council on the formation of what he is currently calling a Cass County Crime Commission. This group would consist of the Mayors of Raymore, Belton, Harrisonville, Peculiar, Pleasant Hill, Lake Winnebago and himself. Because this group would be formed as part of an intergovernmental agreement, Raymore's Charter and Code would require that the City Council pass a Resolution appointing the Mayor to such a Commission.

B. Board and Commission Appointments

Mayor Turnbow presented recommendations for Board and Commission appointments to the Council. The appointments will be placed on the next agenda for consideration.

C. Other

MOTION: By Councilmember Townsend, second by Councilmember Holman to enter into executive session to discuss real estate acquisition matters as authorized by § 610.021 (2).

DISCUSSION: None

ROLL CALL VOTE:	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Aye
	Councilmember Circo	Aye
	Councilmember Holman	Aye
	Councilmember Townsend	Aye
	Councilmember Wills-Scherzer	Aye

The work session of the Raymore City Council adjourned to Executive Session at 7:59 p.m.

THE **PLANNING AND ZONING COMMISSION** OF THE CITY OF RAYMORE, MISSOURI, MET IN REGULAR SESSION **TUESDAY, NOVEMBER 16, 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, ERIC BOWIE (arrived at 7:01pm), KELLY FIZER, TOM ENGERT, JEREMY MANSUR, JIM PETERMANN, MAYOR KRIS TURNBOW, AND MARIO URQUILLA (arrived at 7:01pm). 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 SALSURY, 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 19, 2021 meeting**

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

Vote on Motion:

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

Motion passed 8-0-1.

6. **Unfinished Business -**

a. **Case #21031: Unified Development Code 34th Amendment**

Development Services Director Jim Cadoret began the staff report. Mr. Cadoret stated that during the previous Planning & Zoning meeting on October 19, the public hearing for this case was opened and closed. There were some corrections as noted by the Commission members that needed to be made to the proposed bill that have since been made. There are 3 changes being proposed. The first proposed change would remove language from the Unified Development Code (UDC) Section 460.080 A.1.a to create a new subsection A.1.c. This change affects the language regarding platted lots encroaching in the Federal Emergency Management Agency (FEMA) floodplain or the 100-year flood elevation for areas not identified as special flood hazard areas. This will allow the layout of the sections in the UDC to be more consistent through residential and non-residential. The second proposed change is to correct

the Section number for Section 435.050. The third change is in regards to change in minor subdivisions. If a subdivision does qualify as minor, it will be allowed to go through Staff for approval, it would not have to go through Planning & Zoning Commission or City Council. This change is noted under D. Procedure in Section 470.010 of the UDC, where subitem 1 & 2 would be eliminated and it would just fall under D. Under Section 4, language was added to 470.010A that minor subdivisions would be a decision from the Development Services Director with an appeal to the Board of Adjustment.

Motion by Commissioner Faulkner, Seconded by Commissioner Bowie, to accept Staff Proposed Findings of Fact and forward Case #21031 Unified Development Code 34th Amendment to the City Council with a recommendation of approval.

Vote on Motion:

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

Motion passed 9-0-0.

7. New Business -

a. Election of Officers

Mr. Cadoret informed the Commission that during the first meeting in November of each year, the Board is required to select Officers for the next calendar year. The current slate of officers includes Chairman Wiggins, Vice Chair Fizer, and Secretary Petermann. Staff requests nominations be made for those positions. The Board may accept the current Officers and re-elect them for another calendar year or each position may be re-appointed individually.

City Attorney Jonathan Zerr mentioned that if the Commission is inclined to keep the same slate of Officers, each of the current Officers need to state their acceptance of the continued position. If any of the current Officers do not wish to be re-appointed, there will need to be a vote for a new Officer for that position.

Commissioner Petermann, Commissioner Fizer, and Chairman Wiggins all stated that they are inclined to keep their current positions for the next calendar year.

Motion by Mayor Turnbow, Seconded by Commissioner Bowie, to maintain the current officers for the next term.

Vote on Motion:

Chairman Wiggins	Aye
Commissioner Faulkner	Aye
Commissioner Bowie	Aye
Commissioner Fizer	Aye
Commissioner Engert	Aye

Commissioner Petermann	Aye
Commissioner Urquilla	Aye
Commissioner Mansur	Aye
Mayor Turnbow	Aye

Motion passed 9-0-0.

b. 2022 Meeting Calendar

Mr. Cadoret stated that the proposed meeting calendar for 2022 has been presented to the Commission for their consideration. This calendar is used by the applicants for deadline references, meeting dates, and is used by Staff for deadlines for Public Hearing notices and meetings, as well as Good Neighbor meetings and other correspondence that is required. In past years, there have been conflicts with meetings falling on election nights, but this should not be a conflict for the 2022 year.

Motion by Commissioner Urquilla, Seconded by Commissioner Engert, to accept the Staff proposed 2022 Meeting Calendar and deadlines as presented by Staff.

Commissioner Bowie asked Mr. Cadoret if the list of current Board members will be coming out soon?

Mr. Cadoret replied that it will be included in the next packet that goes out.

Vote on Motion:

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

Motion passed 9-0-0.

c. Case #21039: LeMor Estates Lots 7 & 10 Rezoning (public hearing)

Chairman Wiggins opened the public hearing at 7:10pm.

City Planner Dylan Eppert stated that the applicant had a family emergency and is unable to attend the meeting, however, the applicant would like the case to continue in his absence if the Commission allows it.

Chairman Wiggins confirmed that the case can be continued in the applicant's absence as long as Staff feels they can present the information.

Mr. Zerr stated that at the end of the Staff Report and conclusion of the Public Hearing, if the Commission has any questions that have not been answered, the case can be continued before making any final determination and giving a vote.

Mr. Eppert began the Staff Report, highlighting that the request is to rezone lots 7 & 10 in LeMor Estates from "R-1P" to "R-2P". The property is located generally north of W. Lucy Webb Road and east of Old Paint Road. The surrounding zonings are R-1 Single-Family Residential to the north and south, R-2P Single- and Two-Family Residential Planned District to the east and south, and R-3B Apartment Community Residential District to the west. The Future Land Use Map of the current Growth Management Plan designates this property as appropriate for medium density residential. The Major Thoroughfare Plan Map classifies W Lucy Webb Road as a Major Collector while Old Paint Road and Kreisel Drive are classified as local roads. A Public Hearing was advertised on November 4th, and there are 6 items to be entered into the record. In 1999, land containing the LeMor Estates Subdivision was rezoned from "A" Agricultural to "R-1P" Single-Family Planned Residential District, "R-2P" Two-Family Planned Residential District, and "R-3A" Multi-Family Residential District. At the time of the rezoning, the land area to the west, now known as Timber Trails subdivision, was zoned "M-1" Light Industrial District. On October 10, 2004 the final plat for LeMor Estates subdivision was recorded. In 2007, lots 7 & 10 were rezoned from "R-2P" to "R-1P", and adjustments were made to the applicable development standards for all lots in the subdivision. In 2013, the City Council voted to deny the rezoning application which would have rezoned lots 21-25. The property has been zoned "R-1P" since July 2007. At that time, the then owner indicated they could not fit a two-family structure on the lots and requested the rezoning to allow for a single-family home. The lots are now owned by Keith Wehmeir of Harper Building LLC. Mr. Wehmeir does have a building plan for a two-family structure that will fit on each of the lots while respecting building requirements. The lots were originally zoned "R-2" for two-family structures, and there are two-family structures on the adjacent lots 9 & 10. Two-family structures also exist on the five lots to the south of lots 7 & 10. Staff recommends the Commission accept the staff proposed findings of fact and forward Case #21039: LeMor Estates Lots 7 & 10 from R-1P to R-2P to the City Council with a recommendation of approval.

Commissioner Urquilla asked Mr. Eppert to clarify if the rezoning request is to change the designation to "R-2" or "R-2P"?

Mr. Eppert noted that the request is to change the zoning to "R-2P", there was a typo in the packet. That would be corrected before the case would go onto City Council.

Commissioner Mansur asked if there will be a final plat approval since it is a planned district.

Mr. Eppert stated that the lots are already platted, they have been previously platted as "R-2P". There will not be a final plat approval.

No public spoke on the application.

Chairman Wiggins closed the public hearing at 7:17pm.

Motion by Commissioner Urquilla, Seconded by Commissioner Faulkner, to accept Staff proposed findings of fact and forward Case #21039: LeMor Estates Lots 7 & 10 Rezoning from "R-1P" Single Family Residential Planned District to "R-2P" Single and Two-Family Residential District to City Council with a recommendation of approval.

Vote on Motion:

Chairman Wiggins	Aye
Commissioner Faulkner	Aye
Commissioner Bowie	Aye
Commissioner Fizer	Aye
Commissioner Engert	Aye
Commissioner Petermann	Aye

Commissioner Urquilla	Aye
Commissioner Mansur	Aye
Mayor Turnbow	Aye

Motion passed 9-0-0.

d. Case #21036: The Estates at Knoll Creek Preliminary Plat (*public hearing*)

Chairman Wiggins opened the public hearing at 7:19pm.

Tyler Sallee, Sallee Real Estate Investments LLC, PO Box 6437, Lee's Summit MO 64064, came to the podium on behalf of the applicant for the expansion of Knoll Creek. The proposed expansion to the current Knoll Creek subdivision will be very similar to the first phase of the subdivision. The overall layout of the subdivision remains consistent with the original preliminary plat that was approved for the subdivision, with the exception of some changes made to the cul-de-sac configurations, and an additional street to the southeast of the property that would eventually connect to the Alexander Creek subdivision. There are 79 lots that would be developed in 2 or 3 phases, around 30-40 lots at a time. The size of the lots would be similar to the homes in Knoll Creek phase 1. Exteriors of the homes would also be similar to the existing Knoll Creek subdivision. There is a common detention area that splits phases 1 and 2 which will be acquired with the purchase of the land. The current landowner owns the detention pond, which serves for detention for the undeveloped tract of land as well as phase 1 of Knoll Creek. Mr. Sallee stated that on the original preliminary plat there was a pedestrian walking trail shown around the detention pond area that has not been installed yet. Part of the development will be to complete the trail around the detention pond during the 1st or 2nd phase of the new construction. There are open space green tracts that are included in the proposal. Those open areas and the detention pond area are planned to eventually be owned by the Homeowners Association, and they would be responsible for the ongoing maintenance once that is transferred to them. There was a neighborhood meeting that was hosted with around 25 residents in attendance where questions were asked about the connection between the new Knoll Creek development and the Alexander Creek subdivision. Sallee Real Estate owns Alexander Creek, and it is planned for the two neighborhoods to connect at some point in the future.

Commissioner Faulkner asked Mr. Sallee to confirm the number of lots in this development.

Mr. Sallee responded that there are 79 lots in the development.

Commissioner Faulkner stated that there is a contraindication, the paperwork states there are 76 lots.

Mr. Sallee confirmed that 76 is correct.

Mr. Eppert began the Staff Report, stating that the request is for approval of the preliminary plat for the expansion of the Knoll Creek Subdivision. The property is 36.851 acres, and is generally located on undeveloped land east of the existing Estates at Knoll Creek subdivision. Surrounding zoning includes "A" Agricultural to the north and east, "R-1" Single-Family Residential to the west, and unincorporated Cass County to the south. The Future Land Use Map of the current Growth Management Plan designates this property as appropriate for low density residential. The Major Thoroughfare Plan Map classifies N Prairie Lane as a Major Collector and Hall's Creek Avenue as a local road. There has been an advertisement and a Good Neighbor meeting, and Mr. Eppert entered 7 items into the record, as well as any additional exhibits as presented during the hearing. The property was rezoned from "A" Agricultural District to "R-1" Single-Family Residential District in October 2003. The original

preliminary plat for The Estates at Knoll Creek was approved at the same time. There were three phases proposed for the subdivision, with 56 homes in Phase 1. The final plat for Phase 1 was approved in May 2004. All 56 lots have been developed. The original preliminary plat for Knoll Creek expired in May 2006. In 2003, the Parks & 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 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 have been met. In November 2021, the Parks & Recreation Board voted to accept a fee-in-lieu of parkland dedication in the amount of \$80,256 for the new development at Knoll Creek, and is to be paid at the time the Final Plat is recorded. The subject property is located within the territorial area of the Cass County Public Water District #3. The applicant is aware that the entire Knoll Creek subdivision will be served by that district. Temporary cul-de-sacs will need to be constructed on the east end of Hall's Creek Avenue, the southern end of Citadel Place, and at the southern end of Normandy Drive. The South Metro Fire District had two comments regarding the preliminary plat, including a request that the fire hydrant be located at lot 111 and the island in the "tear drop" style cul-de-sac will have pavers instead of grass. 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 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. The pond would be the responsibility of the applicant to maintain until such time the ponds are deeded over to the Homeowners Association. A maintenance agreement is required. A 7' walking trail is to be constructed around the pond 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. Citadel Place is designed to allow future connection to the extension of Alexander Creek Drive in the Alexander Creek subdivision. 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 the adjacent property coincident with the street extensions. City Staff recommends the acceptance of this case, subject to the condition that documentation shall be provided to the City that the applicant has access rights to utilize the existing stormwater detention basin located upon Tract C of the Estates at Knoll Creek first plat.

Chairman Wiggins asked if it is being planned to install roundabouts on 58 Highway at some point? If so, where would those roundabouts be located?

Director of Public Works Mike Krass replied that there is a roundabout being suggested at the 58 Highway and Ward Road intersection, as well as the intersection at 58 Highway and Prairie Lane. The contract for those has recently been awarded and work is anticipated to start in the spring.

President of the Knoll Creek Estates Homeowners Association Matt Dorsey came to the podium for comments. Mr. Dorsey commented that since work is already going on in the Alexander Creek subdivision and a connection is planned between the two subdivisions, the community would like the developers to begin phase 2 of the project first. This would allow the builders a different access point so they would not be constantly driving through the established neighborhood of Knoll Creek. Mr. Dorsey also had a question about who was responsible for maintaining the detention pond. If the current landowner still owns the pond, why has the Knoll Creek HOA been maintaining the pond? Who does the pond belong to, and why has the Knoll Creek HOA been stocking the pond and doing cleanup?

Mr. Eppert responded that Mr. Sallee will acquire the pond once he purchases the land for the new development of Knoll Creek. The plan is to have one single HOA for the entire Knoll Creek subdivision, including the new development.

Chairman Wiggins closed the public hearing at 7:34pm and invited the applicant or Staff to respond to the concerns raised by the public.

Mr. Krass stated that at this time, there is not a direct line of access from the Alexander Creek property to the southeast corner of the proposed new development at Knoll Creek. There is a gap that is shown on the preliminary plat, and part of what would be the connection is owned by a different property owner.

Mr. Cadoret stated that when the first phase came through for Knoll Creek, there was an agreement that the pond serve as a stormwater detention basin for the first phase. In that agreement, it was agreed that the Knoll Creek HOA will maintain the pond. The current HOA is responsible for the pond. With phases 2 & 3, Mr. Sallee will need a specific stormwater agreement to allow him to use the existing pond for stormwater detention. Phases 2 & 3 now have joint maintenance responsibilities for the pond along with the HOA for Knoll Creek. The pond is there to benefit the entire community of Knoll Creek.

Mr. Sallee mentioned that the land and the pond are still under contract to be purchased. It has been proposed to the current landowner what the use agreement between the new development and the existing development will look like. It has not been executed yet since Mr. Sallee is not the owner of the property yet.

Mr. Zerr stated that the language of the proposed Staff Recommendation under 1 would contemplate the utilization and access of the detention pond. The applicant in this case would need to obtain access rights in order to utilize that stormwater detention basin as one of the conditions of this case. Mr. Zerr read from section 470.110 of the UDC to give the Commissioners an overview of what should be considered when voting for the case.

Commissioner Urquilla asked who was the current owner of the land to the southeast that is preventing the two subdivisions from connecting?

Mr. Eppert stated that the Alexander Creek subdivision is owned by Mr. Sallee, and the Knoll Creek property is under contract with Mr. Sallee as well.

Chairman Wiggins stated that the previously approved phase of Alexander Creek is to the north and the creek has not been crossed to access the northwest portion of the development. The 12 or so lots from the creek crossing to the southeast corner of Knoll Creek is undeveloped, but is owned by the applicant.

Mr. Krass stated that the proposed connection crosses the Batliner property. There has not been an application for that portion of Alexander Creek currently. It is not planned and it would be contingent on the Batliner property being developed or sold.

Commissioner Urquilla asked if the drawing on the preliminary plat is accurate to what the City would install eventually? The road is planned to look like that, there is not a current developer that is interested in developing that road, correct?

Mr. Krass confirmed that yes, it is accurate.

Motion by Commissioner Urquilla, Seconded by Mayor Turnbow, to accept Staff proposed findings of fact and forward Case #21036 The Estates at Knoll Creek Preliminary Plat to City Council with a recommendation of approval, subject to the outlined condition.

Vote on Motion:

Chairman Wiggins

Aye

Commissioner Faulkner	Aye
Commissioner Bowie	Aye
Commissioner Fizer	Aye
Commissioner Engert	Aye
Commissioner Petermann	Aye
Commissioner Urquilla	Aye
Commissioner Mansur	Aye
Mayor Turnbow	Aye

Motion passed 9-0-0.

8. City Council Report

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

9. Staff Report

Mr. Cadoret gave the Staff Report, highlighting that there will be a meeting on December 7th. There are several items on the agenda including a public hearing for an event center. Also being presented is the site plan for the Watermark apartment community. Nothing currently scheduled for December 21st, but it's possible something will come up before then.

10. Public Comment

No public comment.

11. Commission Member Comment

Commissioner Faulkner mentioned it is good to see the whole Commission present, and thanked Staff.

Commissioner Bowie thanked Staff and the public for coming out, and wished everyone a Happy Thanksgiving.

Commissioner Mansur thanked Staff and the public for coming out. It's important to hear thoughts and opinions from residents.

Commissioner Fizer thanked Staff, and wished everyone a good Thanksgiving.

Commissioner Petermann had no comment for the evening.

Commissioner Engert thanked Staff and the public for coming out.

Commissioner Urquilla thanked Staff and the public for coming out. Happy Thanksgiving.

Mayor Turnbow seconded what everyone else said, and wished everyone a Happy Thanksgiving.

Chairman Wiggins thanked Staff and the public. Thank you to the other Commissioners as well for their support in the Officers, it is very enjoyable and an honor to be the Chairman of the Commission. Have a happy and safe Thanksgiving.

12. Adjournment

Motion by Commissioner Urquilla, Seconded by Commissioner Bowie, to adjourn the November 16, 2021 Planning and Zoning Commission meeting.

Vote on Motion:

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

Motion passed 9-0-0.

The November 16, 2021 meeting adjourned at 7:51 p.m.

Respectfully submitted,

Emily Jordan

