

RAYMORE PLANNING AND ZONING COMMISSION AGENDA

Tuesday, January 18, 2022 - 7:00 p.m.

City Hall Council Chambers
100 Municipal Circle
Raymore, Missouri 64083

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Personal Appearances - None
5. Consent Agenda
 - a. Approval of Minutes from December 7, 2021 meeting
6. Unfinished Business - None
7. New Business
 - a. Case #22001: Grube Property Rezoning M-1 to R-3A - south of Dawn Street, east of Sunrise Drive (*public hearing*)
 - b. Case #22002: Johnny's Tavern Site Plan - 716 W. Foxwood Drive
8. City Council Report
9. Staff Report
10. Public Comment
11. Commission Member Comment
12. Adjournment

Meeting Procedures

The following rules of conduct apply:

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

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

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

THE **PLANNING AND ZONING COMMISSION** OF THE CITY OF RAYMORE, MISSOURI, MET IN REGULAR SESSION **TUESDAY, DECEMBER 7, 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, KELLY FIZER, TOM ENGERT, JEREMY MANSUR, JIM PETERMANN, MAYOR KRIS TURNBOW, AND MARIO URQUILLA. ALSO PRESENT WAS CITY ATTORNEY JONATHAN ZERR, CITY PLANNER DYLAN EPERT, DIRECTOR OF DEVELOPMENT SERVICES JIM CADORET, ASSISTANT CITY ENGINEER TRENT SALSBURY, AND ADMINISTRATIVE ASSISTANT EMILY JORDAN.

1. **Call to Order** – Chairman Wiggins called the meeting to order at 7:00 p.m.
2. **Pledge of Allegiance**
3. **Roll Call** – Roll was taken and Chairman Wiggins declared a quorum present to conduct business.
4. **Personal Appearances** – None
5. **Consent Agenda**

a. **Approval of Minutes from November 16, 2021 meeting**

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

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.

6. **Unfinished Business - none**

7. **New Business -**

a. **Case #21041: Brown Event Space Conditional Use Permit (*public hearing*)**

Chairman Wiggins opened the public hearing at 7:02pm.

Stephen Brown Jr., 16119 Kentucky Rd., Belton MO 64012, came to the podium on behalf of the Brown family. Mr. Brown stated that the request is for a conditional use permit to allow the barn on the rear portion of their property to be used as an event space. The barn currently sits on 5 acres. The current proposal shows a new road to be constructed with access to Kentucky Road that would lead to the proposed event space. There will be plenty of concrete parking, as well as handicap parking. Mr. Brown stated that on either side of the barn, there would be a trailer that can be used for guests staying the night or as dressing rooms for the events. The restrooms will be located on the east side of the barn. The operating hours are suggested to

be 5pm-10pm Monday through Thursday, 6am-12am Friday and Saturday, and 6am-11pm on Sunday. The reasoning for the early hours on the weekend is to allow for the staff and guests to arrive early in the day to set up for the event in the later part of the day.

City Planner Dylan Eppert provided the Staff Report. The proposal is for a conditional use permit for the address of 16119 Kentucky Rd. The surrounding uses are residential to the north, south, and west (City of Belton). To the east, the use is school and residential. The total tract size is 9 acres, and the Future Land Use Plan Map identifies this area as appropriate for low density residential development. The Major Thoroughfare Plan Map classifies Kentucky Road as a Minor Arterial. Mr. Eppert entered 7 exhibits into record, as well as any additional exhibits as presented during the hearing. The proposal would allow for an event space. The property was annexed into the City of Raymore with an "A" Agriculture zoning designation. The single-family home on the property was built in 1988, the barn was constructed in 1989, and an additional barn was constructed in 1995. The request for a Conditional Use Permit (CUP) applies only to the use of the property. If the use is approved, the applicant must apply for the site plan approval, which would include additional details on parking, landscaping, lighting, utilities, and building improvements. The applicant would need to obtain permits from BP pipeline, since there is a pipeline that runs through the northwest corner of the property. Signage would be required off of Kentucky Road. Since there is already a driveway to the property, signage would be needed to differentiate the residential driveway from the event space driveway. The South Metro Fire District will require a Knox box to be located at the gates that would be located on the south side of the property and the north side of the property. There will be gates that section off the 4 acres where the residential home is from the 5 acres where the event space will be located. The gates will be open during events, and will be closed when there are no events taking place. There is also an easement to the south that the Fire Department could use as access to the space. An on-site sewage disposal system would be required for the event center. The neighbor to the west raised concern regarding the access point from Kentucky Road as they are worried about vehicular headlights shining into their home with the proposed location of the additional driveway. This has been discussed with the applicant and would be discussed more in depth with the site plan review. Staff recommends that the Planning & Zoning Commission accept the staff proposed findings of fact and forward Case #21041: Brown Event Space Conditional Use Permit to the City Council with a recommendation of approval subject to 5 conditions regarding business hours, signage, Site Plan application and approval, on-site sewage disposal system requirements, and approval of a building permit from the City of Raymore and South Metro Fire Department for any renovations to the barn.

Commissioner Bowie reminded the Commission the only thing to be considered is the Conditional Use Permit, but asked Mr. Eppert to explain the process of what would happen after the permit is granted.

Mr. Eppert stated that after the approval of the CUP, the applicant would come back before the Commission with a Site Plan. This would include showing the lighting, parking, what will be done to the barn, the layout, etc.

Mason Banks, 16207 Kentucky Rd., Raymore MO 64083, came to the podium for comments. Mr. Banks stated that he is the neighbor to the south of the subject property, and they share a driveway and property boundary. Mr. Banks runs a minor agricultural livestock program and has some concerns about the event space being in a predominantly residential area. The lights and noise are a concern, and Mr. Banks asked the Commission to consider and review the application closely so it doesn't turn into a livestock issue or property issue with any of the adjoining neighbors. Mr. Banks also mentioned that an evaluation of Kentucky Road could be warranted to establish whether increased traffic would cause any concern. The road is not lit, and there are no shoulders. Kentucky Road has become an overflow road during rush hour traffic.

Chairman Wiggins closed the public hearing at 7:12pm.

Mayor Turnbow asked Mr. Brown to explain why he intends to create an event space.

Mr. Brown replied that there doesn't seem to be many event spaces in the Raymore and Belton area. The opportunity came about to start this business now, and it's a good opportunity to start something as a family business. Mr. Brown stated that he teaches martial arts, and to have a space for the community to use would bring the community together. Mr. Brown also mentioned that a few of his friends have stated that it would be nice to have a place to have an event, especially in a barn-type setting.

Mayor Turnbow asked Mr. Brown if the South Metro Fire Department has been involved in the planning of this?

Mr. Brown responded that during the initial meeting with the City, the Fire Department presented a list of specs and requirements that would have to be met to have the facility open and pass inspection.

Mayor Turnbow asked Mr. Brown about the occupancy limits for the proposed space. Judging by the drawing that was presented, there is not a clear idea of what the plan for the space is. It is hard to envision something based on the drawing that was presented in order to approve the CUP.

Mr. Brown responded that the occupancy limit has been discussed, but nothing has been set in stone yet, since the event space will still have to go through the site plan process. The square footage of the proposed space is 2400 square feet for the barn, and the plan is to get a 12'x40' trailer to put on the east side of the barn to use as the restrooms. There would be an additional 12'x40' trailer on the opposite side with two 8'x20' on either side to use as the His & Hers quarters. The larger trailer will be used as the kitchen and storage for the facility. The plan is to create a hallway that would connect the trailers to the barn, so the trailers are not actually connected to the barn itself. This would allow the trailers to be switched out if need be without damage or reconstruction of the barn. The intent is to keep the 2400 square feet of the barn as open as possible to allow for maximum capacity.

Mayor Turnbow asked Mr. Brown if he had checked with the Chamber of Commerce to see if they had any input about inquiries about event spaces in the area.

Mr. Brown replied that he did not check with the Chamber of Commerce.

Commissioner Urquilla asked if there has been a market study to determine the demand for an event space. Will there be martial arts lessons at the barn, or is it only for events?

Mr. Brown replied that the event space is proposed to work as both a place for events, but also for smaller events during the week.

Commissioner Petermann asked if the temporary trailers on either side of the barn will be permanent and attached to the barn.

Mr. Brown replied that the plan is to build hallways to separate the barn and the trailers, so that the trailers are not directly attached to the barn and the structure would not be compromised.

Commissioner Faulkner stated that it appears that there are commercial-type lots to the east and the northeast of the subject property. Are there any other zonings surrounding the subject property other than residential?

Mr. Eppert responded that to the north and south are zoned "A" Agricultural. Mr. Brown mentioned that Commissioner Faulkner seems to be referring to KC Gunite, which is owned by the neighbor to the south, Mr. Banks.

Commissioner Faulkner asked if there was a shared driveway with that business.

Mr. Brown replied that yes, there is a shared driveway.

Commissioner Faulkner asked about the property to the northeast with the big pond. It appears to share a driveway with the subject property and has a gated entrance.

Mr. Brown stated that Mr. Banks' parents live there.

Commissioner Faulkner asked if all of the Banks' land was a shared enterprise.

Mr. Banks stated that the land to the north is Randy Phillips with a 20 acre tract. The bulk of the land is agricultural where he raises livestock. The property to the northeast, owned by Mr. Banks' parents, is approximately 15 acres.

Commissioner Faulkner asked if the buildings to the east of the subject property have been there for quite some time.

Mr. Banks replied that yes, the collection of buildings have been there since 1985.

City Attorney Jonathan Zerr reminded the Commission that what is being presented is a Conditional Use Permit only. The Commission may add additional conditions if deemed necessary that would help protect the neighboring property owners. One condition that may be appropriate to add would be that the Conditional Use Permit is applicable for a set period of time. This would allow for individuals to come in after that time is up to update the City of any disturbances or concerns that have occurred.

Commissioner Mansur asked if screening had been planned for the proposed event space.

Chairman Wiggins stated that screening would be a part of the Site Plan, as opposed to the Conditional Use Permit.

Mr. Zerr stated that the owners will have to comply with all construction requirements and City requirements that would be outlined in the Site Plan. Mr. Zerr mentioned that upon approval of the CUP, a much more detailed, engineered Site Plan would be required and would come before the Commission.

Commissioner Urquilla stated that there are already trees lining the property.

Mr. Eppert stated that the occupancy limit is 300 occupants. The occupancy limit depends on the size of the finished building, the use of the building, and until more detail about what the proposed space will be, it is very hard to know exactly what the occupancy limit will be.

Motion by Commissioner Urquilla, Seconded by Commissioner Bowie, to accept Staff proposed findings of fact and forward Case #21041 Brown Event Space Conditional Use Permit to the City Council with a recommendation for approval, subject to the 5 conditions outlined.

Commissioner Mansur stated that he would like to discuss the possibility of the time limit for the Conditional Use Permit.

Mr. Zerr stated that there could be a motion to amend the motion to add a 6th condition that would allow the Conditional Use Permit to be valid for a period of time.

Commissioner Mansur asked Mr. Zerr if he could give an example of an appropriate amount of time to allow the Conditional Use Permit to be valid.

Mr. Zerr stated that he would defer to City Staff.

Mr. Eppert stated that 10 years is the maximum period that has been the longest term approved, and that 5 years is the usual amount of time the Conditional Use Permits are valid for.

Commissioner Urquilla asked if the time limit has to be determined with the Conditional Use Permit, or can it be done at a later date?

Mr. Zerr stated that it would become a condition of the Conditional Use Permit when the City Council approves the Permit. The length of time the Conditional Use Permit will be valid for can be modified if the Commission determines they will allow a year for the construction time as well as the next five years, for example, making the permit valid for 6 years in effect.

Commissioner Urquilla clarified his question, asking if the time frame has to be established before the Commission can approve the case, or if the Commission can wait to see what the building plans will look like before they approve the time frame of the Conditional Use Permit.

Mr. Zerr confirmed that this was correct.

Commissioner Bowie stated that then the City Council could accept or reject the new condition for the permit, or alter it if need be.

Commissioner Faulkner asked Mr. Zerr if it would be permissible for the proposed new condition to have language that would allow the term of the permit to start after the approval of the Site Plan or after the construction has finished.

Mr. Zerr stated that the UDC does not identify any manner of when the restriction is allowed or not, it simply indicates that in approving a conditional use, the Council may impose a restriction in the conditions for the permit. The City Council may limit the Conditional Use permit to a specific time period, allow the permit to be transferable, or allow the permit to be renewed.

Commissioner Urquilla asked the applicant whether the approval of the proposed condition to add a time limit on the Conditional Use permit would impact their decision to move forward. Is the time limit an acceptable term?

Mr. Zerr stated that he spoke with the applicant and outlined what would happen if the addition of the time limit condition passes. It will need to be approved by the applicant.

Chairman Wiggins asked Commissioner Mansur to decide the time limit since he is the one who made the motion.

Commissioner Mansur asked the applicant if the time limit is acceptable.

Mr. Brown stated that yes, either 5 or 6 years would be acceptable.

Mayor Turnbow asked Staff at what point does the Conditional Use permit turn into a business that will require an occupational license with the City?

Director of Development Services Jim Cadoret stated that the Conditional Use permit is for the event center. The City is not limiting what type of events go on at the event center. Holding a class in the facility is considered an event, which can be repeated. The event

center will have to have an Occupational License with the City. The classes will not have to have an Occupational license to be held there.

Motion by Commissioner Mansur, Seconded by Commissioner Fizer to amend the motion, and add a 6th condition that will add a 6 year time period on the Conditional Use permit with the opportunity to renew.

Mr. Zerr asked Commissioner Mansur if the 6 year time period would begin upon the issuance of the Conditional Use Permit.

Commissioner Mansur responded yes, that is correct.

Mayor Turnbow reminded the Commission that this vote is for the amendment to the motion only.

Vote on Motion:

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

Motion passed 8-1-0.

Vote on Original Motion, as amended, to approve Case #21041 Brown Event Space Conditional Use permit, and forward 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.

b. Case #21042: Watermark Apartment Community Site Plan

Jake Ross came to the podium representing Thompson Thrift Residential, Inc., formerly known as Watermark. The request is for site plan approval for a residential community that consists of 300 dwelling units included in nine buildings on the site. There would be a fitness center, leasing center, and a clubhouse for residents to use. The site is located to the east of Dean Avenue, south of OfficeMax and Sam's Club, to the east of the property is residential and to the south is an undeveloped parcel. The site is approximately 16.5 acres. Parking is

estimated at 1.94 spaces per dwelling unit. There is an additional ratio that is stalls to bedrooms, as opposed to stalls to units, which comes to 1.0 stalls per bedroom. One of the goals that the developers have is to create a buffer to the east of the site to create a sense of privacy for the community as well as the neighbors to the east. The detention pond is located on the east side of the property as well. The detention pond will have landscaping to add more of a buffer between the apartment community and the neighbors to the east. The trail system is very important to the community, and the developers will provide a trailhead towards the west end of the site. The trailhead has 14 parking spaces and will be available for public use as well. The northwest corner of the site contains the leasing center, fitness center, and clubhouse to engage traffic coming south down Dean Avenue. There will also be a lounge area, a pool, cabanas, and a grilling area. A dog park is being considered for the center of the complex. Thompson Thrift Residential has an in-house property management group which allows more insight into what the residents enjoy in their community. There are detached parking garages that will be available for the residents. To the south of the complex, there are parking stalls. There was a concern from the residents in the surrounding neighborhoods that if the land to the south of the subject site was developed, there would be a risk of car headlights coming through from the apartment parking lot. Mr. Ross explained that this would not be an issue because there is a big elevation change between where the apartment parking lot is located and where the new homes would potentially be. If there was an issue, the developers are happy to look at different landscaping options to help with the light bleed. The site has a detention pond onsite that will collect and detain stormwater and re-route it. There is an existing stream on the west side of the property, but it is currently obscured by trees and tall grass. Part of what the developers want to do is clean the stream up since it is used as a detention area for the commercial buildings to the north, as well as for the proposed apartment complex.

Commissioner Faulkner asked if any of the proposed buildings will have basements.

Mr. Ross responded no, they do not have basements.

Commissioner Bowie asked if the bay garages have garage doors that come down, and if there is only one trash enclosure for the community. If the area to the south develops with single-family homes, the trash enclosure on the south side of the apartment complex will be right next to the homes.

Mr. Ross responded that the developers have done a similar configuration with other properties they have done, and the layout of the trash enclosure area has made trash collecting less disruptive to the residents. Trash companies can come straight in from the secondary access from Dean Avenue and would not have to come through the apartment complex. Mr. Ross stated that the developers are comfortable with the level of noise that would be generated by the trash enclosure area, and with the same design has worked well with other developments. The on-site staff will make sure there is not an issue with the trash area itself, keep it clean, and manage it.

Commissioner Bowie mentioned that he would like to see the trash area in the north east corner of the property, as opposed to the south east corner where new homes could potentially go in.

Mayor Turnbow stated that in previous conversations with the developers, it was noted that the detention area on the west side of the property, the stream, would have a water feature, and asked Mr. Ross to expand on that detail.

Mr. Ross stated that the water feature is something that can be looked into, as long as everything is approved on the engineering side to ensure the safety of residents and the stream integrity.

Mayor Turnbow asked that once the study is done by the engineer to determine if the area can retain water, and if it can, do the developers intend to make that a water feature?

Mr. Ross stated that yes, that would be the intent. The engineer for the project, Andrew Gribble, came to the podium for clarification. The detention basin collects the stormwater for the Sam's Club and Lowe's to the north. Stormwater from the north comes down and is detained in the pond on the east side of the property or comes down through the stream on the west side of the property. There is a pipe that comes in from the north west. It is not an actual stream, it is where the water has naturally run south from where the pipe drains the water. The developers do not have to do anything with the stream because the detention area for the development is the pond to the east, but if something can be done with the stream, they will try to make it a water feature. Mr. Gribble stated that a clay liner may have to be installed on top of the rocks where the stream is to ensure the stream would hold water. The plan is to leave the pipe alone, and install a road over the pipe as to not disrupt the stream.

Commissioner Bowie asked if there is uncovered parking?

Mr. Ross replied that the majority of the parking on the site is a surface parking spot which is uncovered, but there are also a few garages available.

Mr. Eppert provided the Staff Report for this project. The proposed apartment community is located east of Dean Avenue, south of OfficeMax and Sam's Club. Existing zoning is "R3-B" Apartment Community Residential District. Surrounding uses are Commercial Retail to the north, undeveloped to the south, single-family residential to the east, and multi-family to the west. The approximate tract size is 21.03 acres. The Future Land Use Map identifies this property as appropriate for commercial development, and the Major Thoroughfare Plan Map classifies Dean Avenue as a Minor Arterial and Johnston Drive as a Minor Collector. A Public Hearing and advertisement in the paper are not required for a site plan hearing. The property was rezoned from "A" Agriculture to "C-3" Regional Commercial District in March 2005. The rezoning included property up to 58 Highway. The property to the south was rezoned from "A" Agriculture to "R-1P" Single-Family Residential Planned District in February 2004. In August 2021, the City Council approved the rezoning of the property from "C-3" Regional Commercial District to "R-3B" Apartment Community Residential District. The legal description of the property was corrected in November 2021. The Engineering department has submitted a Memo. The requirement of a landscape buffer of 20% has been met. A Type "A" landscape screen is required along the eastern and southern property lines. The plan utilizes tree and shrub plantings to provide the required screening. Landscaping will need to be provided around the monument sign as required by the City Code. All buildings in the complex have been provided a sidewalk. The South Metro Fire District required a truck turning movement plan to be submitted. With two means of access from Dean Avenue, no additional emergency access was required by the District. Stormwater runoff and water quality will be handled by a combination of underground conduits and detention facilities. The existing stormwater pond in the southwest corner of the development will also serve as a detention area for a portion of the apartment community. Improvements to the pond are planned. A second detention pond for the development is planned adjacent to the eastern property line. The east half of the apartment community will drain to this stormwater basin. The trash enclosure will be constructed of the same materials and color as the proposed apartment buildings and amenities. The subject property will have two access points off of Dean Avenue, one at the northwest corner and one at the southwest corner of the site. Private amenities for the apartment community include a clubhouse, swimming pool, fitness center, dog park, mailroom, secured garages, door-side trash pick-up, fire pits, benches, pergola, gas grills, and seating areas. Staff recommends the Planning & Zoning Commission accept the staff's proposed findings of fact and forward the case to the City Council subject to 14 conditions as presented.

Commissioner Bowie asked who will be responsible for the trail parking area. Will apartment staff be responsible for trash and maintenance? Has there been any concern about the location of the parking lot since it is right off of Dean Avenue?

Mr. Eppert replied that the parking lot and trail area will have more of a public feel, but the apartment complex will have gates on both of the access roads. The City will maintain the parking lot and trail area. Chairman Wiggins stated that the gate will be further down the road, closer to the apartment complex, but not blocking off the trailhead.

Commissioner Urquilla asked if the City would be responsible for putting a gate up at the trailhead if loitering became an issue in the parking lot.

Commissioner Bowie asked if there will be a trash receptacle at the trailhead parking lot. There might be some issues with the loitering and trash since this is in one of the high crime areas of the city, and so close to Dean Avenue.

Mr. Eppert mentioned that yes, there should be a trash receptacle at the parking lot.

Mayor Turnbow mentioned that the parking lot and trailhead will transfer over to the City at some point, and the apartment complex will not own it forever.

Mr. Zerr asked if the applicant could come back to the podium to add some clarification about the water feature and what would make it impossible or impractical to make a water feature.

Mr. Gribble stated that the area is currently an eyesore, and it has been discussed during the Good Neighbor meetings about making that area into a water feature. There is quite a bit of rock that would require some sort of liner to be able to keep the water retained. With a clay or fiber liner in place, it would be more likely that during a wet enough year, the pond will retain water.

Mayor Turnbow stated that Mr. Gribble was supposed to be doing a study on if the water could be retained and how.

Mr. Gribble stated that all of the water from the north comes into the retention area, so if the outlet is raised, the area will theoretically retain water. It still needs to be investigated to make sure the pond will not overflow and flood the area if the pond is made to retain water.

Mayor Turnbow asked if there has been any soil testing below the rocks to see if the ground is an impermeable surface type of material.

Mr. Gribble stated that if the ground is permeable, there are liners that can be brought in to seal it so the pond will retain water. The issue is the cost, which comes into play on whether or not the pond would be worth the expense.

Chairman Wiggins mentioned that he has never heard of this becoming a water feature, and the current site plan does not have the water feature/pond included, and it has not been presented to the Committee. Would the applicant have to come back with a different site plan that includes the pond and water feature to be accepted?

Commissioner Urquilla asked if the area is not able to be turned into a pond with a water feature, what are the plans for the area, such as a path or landscaping?

Mr. Ross stated that the developers want the development to be compelling for potential residents, so the area would be cleaned up and be more sightly.

Chairman Wiggins asked if there are plans other than what is being presented, a path or a pond, does the site plan need to come back or could it be made as an amendment?

Mr. Cadoret stated that it should be a part of the recommendation on the site plan. Typically it would not come back to the Commission until the final construction plans are submitted. It can be added as a condition that the plans need to come back before the Commission.

Commissioner Urquilla asked if it could be a condition that the developers don't need to come back before the Commission, but it is required that they do something with that area.

Mr. Cadoret responded yes, that could be added.

Mr. Gribble stated that the developers own the property. Everything offsite is draining onto the property. If the area can be turned into a wet pond, that would be ideal, but some changes will be made to the area regardless.

Commissioner Urquilla asked if they would object to adding into the conditions that the developers are required to do something to the area, whether it be landscaping or a water feature, etc?

Mr. Ross asked the Commission if there was any way to make that statement more closed-ended? Maintenance is an appropriate word to describe what would happen to the area.

Chairman Wiggins raised concerns about what is considered maintenance.

Mayor Turnbow stated that the developers and engineers are looking at the possibility of the pond retaining water, and a possible condition would be that if the area can retain water, it will be a pond.

Chairman Wiggins again raised concerns about what constitutes maintenance.

Commissioner Urquilla stated that it would be to the detriment of the apartment owners and managers to not keep the area maintained, whether the area becomes a pond or something else.

Mayor Turnbow asked if Mr. Zerr might be able to scribe a 15th condition to the recommendation with regards to the water retention and the viability of a water feature.

Mr. Zerr responded that he is not in a position to impose that upon the applicant and their engineer. In a quick conversation with the applicant and engineer, it was determined that it would be a water feature unless it is not economically viable.

Commissioner Urquilla asked if the pond held water without having to put a liner in, would it be feasible to add a water feature?

Mr. Gribble stated that if that were the case, it would be as simple as moving some dirt. If the construction of a wall, or if a liner has to be put in, that is when the viability and cost should be considered.

Commissioner Urquilla stated that if there had to be a liner or a wall installed, it would override the condition regarding the viability of the pond to hold a water feature. Commissioner Urquilla asked Mr. Zerr to confirm.

Mr. Zerr stated that the notion is whether or not putting a water feature in would be economically feasible, and on how feasibility is measured.

Commissioner Urquilla asked Mr. Zerr if the pond in its current state can hold water, can it be made to hold a water feature? If the pond cannot hold water in the current state without adding a wall or liner, the feasibility of the water feature then comes into question. The liner would then not be required by the Commission, but the developers may install one if they wish. Commissioner Urquilla asked the applicant if they would accept the condition that if the pond can hold water in the current state that it will house a water feature, and if it cannot hold water that the area will be maintained?

Mr. Ross answered yes, they will accept.

Mr. Zerr asked Chairman Wiggins if a short break could be taken to discuss a proposal with the applicant.

Chairman Wiggins approved the 5 minute recess at 8:20pm.

The meeting resumed at 8:31pm.

Mr. Cadoret stated that Staff would like to propose a condition to be added to the others recommended by Staff. The proposed condition reads as follows: If the west detention basin can economically be made capable of holding water, it will. If remaining as a detention basin, the basin shall be adequately landscaped and maintained comparable to the overall apartment community. Both the Staff and the applicant are comfortable with the addition of this condition.

Mr. Zerr asked the applicant to come forward to confirm the acceptance of the new condition for the record.

Mr. Ross confirmed.

Motion by Commissioner Urquilla, Seconded by Commissioner Mansur, to accept Staff proposed findings of fact and approve Case #21042 Watermark Residential Apartments Site Plan subject to the 15 conditions as presented by City Staff.

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 one City Council meeting that has taken place since the Planning & Zoning Commission last met.

9. Staff Report

Mr. Eppert gave the Staff Report. The December 21, 2021 Planning & Zoning Commission meeting will be cancelled, and the January 4, 2022 meeting may be cancelled as well. Staff will keep everyone updated.

10. Public Comment

No public comment.

11. Commission Member Comment

Commissioner Faulkner commented that the lights at City Hall and Centerview look nice, and thanked Staff.

Commissioner Bowie mentioned that the December 21, 2021 meeting has been officially cancelled. Thank you to Staff, and happy holidays.

Commissioner Mansur thanked Mr. Zerr and Chairman Wiggins, the Staff, and thanked the Browns for coming up with a creative idea and coming out to present it.

Commissioner Fizer thanked Staff, and reminded everyone about the Mayor's Christmas tree at TB Hannah Station.

Commissioner Petermann had no comment for the evening.

Commissioner Engert thanked Staff and Mr. Zerr, and wished everyone happy holidays.

Commissioner Urquilla thanked Staff and wished everyone a safe and happy holiday.

Mayor Turnbow thanked the Commission, and wished everyone a happy holiday season.

Chairman Wiggins thanked Staff and seconded Commissioner Mansur's statement about the Brown family. Happy holidays.

12. Adjournment

Motion by Commissioner Urquilla, Seconded by Commissioner Fizer, to adjourn the December 7, 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 December 7, 2021 meeting adjourned at 8:43 p.m.

Respectfully submitted,

Emily Jordan



To: Planning and Zoning Commission
From: Dylan M. Eppert, City Planner
Date: January 18, 2022
Re: Case #22001 Grube Property - Rezoning from “M-1” to “R-3A”

GENERAL INFORMATION

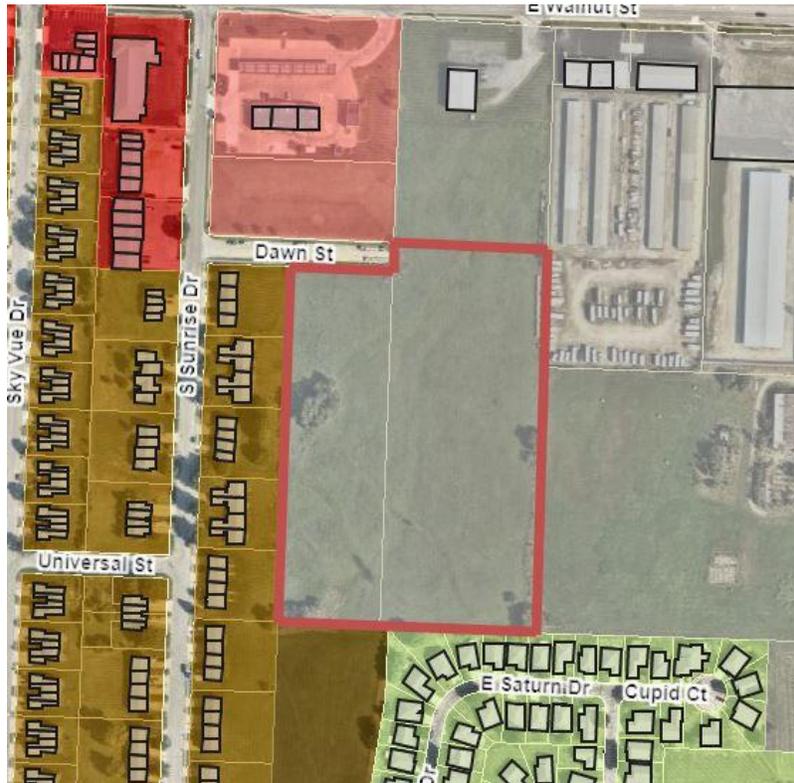
Applicant: Jake Loveless
Griffin Riley Property Group
21 SE 29th Terr.
Lee’s Summit, MO 64082

Requested Action: Request for a reclassification of zoning from “M-1” Light Industrial to “R-3A” Multiple-Family Residential District.

Property Location: Generally located south of Dawn St, east of S. Sunrise Dr.



Existing Zoning: "M-1" Light Industrial District



North: C-3 and M-1 (Regional Commercial District and Light Industrial)
East: M-1 (Light Industrial)
South: R-3B and PUD (Apartment-Community Residential District and Planned Unit Development District)
West: R-3A (Multiple-Family Residential)

Growth Management Plan: The Future Land Use Map of the current Growth Management Plan designates this property as appropriate for Business Park.

Major Street Plan: The Major Thoroughfare Plan Map classifies E. Walnut St as a Major Arterial. S. Sunrise Dr. and Dawn St. are classified as local roads.

Legal Description: All that part of Tract 1 and all that part of Tract 2, JOHNSTON INDUSTRIAL PARK, a subdivision of land situated in Raymore, Cass County, Missouri, according to the recorded plat thereof, of record in Plat Book 8, Page 13, described as follows:

Beginning at the Southeast corner of said Tract 1, Johnston Industrial Park, said point also being known as the Southwest corner of Lot 5, Bush Industrial Park, a subdivision of land situated in Raymore, Cass County, Missouri, according to the recorded plat thereof; thence Northerly along the westerly property line of said Bush Industrial Park, North 02° 04' 11 East, a distance of 815.03 feet; thence North 87° 50' 36" West, a distance of 330.27 feet, to a point being the Southeast corner of Tract B, Lot Line Adjustment of Johnston Park Addition & Re-Survey, a subdivision of land situated in Raymore, Cass County, Missouri, according to the recorded plat thereof, of record in Book 27 at Page 83; thence South 02° 02' 51" West, a distance of 60.00 feet; thence North 87° 50' 36" West, a distance of 217.32 feet, to a point being the Northeast corner of Lot 73, Johnston Industrial Park Addition & Resurvey, a subdivision of land situated in Raymore, Cass County, Missouri, according to the recorded plat thereof, of record ad Document Number 1984000523; thence Southerly along the East property line of said, Johnston Industrial Park Addition & Resurvey, South 02° 12' 28" West, a distance of 750.20 feet, to a point being the Northwest corner of Lot 1, Bristol Manor, a subdivision of land situated in Raymore, Cass County, Missouri, according to the recorded plat thereof, of record in Document Number 19930018307; thence Easterly along the North line of said Lot 1, Bristol Manor, South 87° 53' 52" East, a distance of 239.79 feet; thence South 02° 05' 25" West, a distance of 6.05 feet, to a point being the Northwest corner of Lot 10, Morningview, a subdivision of land situated in Raymore, Cass County, Missouri, according to the recorded plat thereof, of record in Document Number 19900005918; thence Easterly along the North line of said Morningview, South 88° 00' 15" East, a distance of 309.59, returning to the Point of Beginning.

Above described tract contains 432,878.78 sf (9.94 Acres)



(View Looking south from Dawn St.)



(View looking west from Stor-More for less)



(View looking north from Morningview Subdivision)



(View looking east from west property line)

Advertisement: December 30, 2021 **Journal** newspaper

Public Hearing: January 18, 2022 Planning Commission meeting

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

REQUEST

The applicant is requesting to reclassify the zoning classification from existing “M-1” Light Industrial District to “R-3A” Multiple-Family Residential District.

REZONING REQUIREMENTS

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

Section 470.020 (B) states:

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

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

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

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

PREVIOUS PLANNING ACTIONS ON OR NEAR THE PROPERTY

1. The final plat (Johnston Industrial Park) for the subject property was approved August 12, 1979.
2. The subject property was approved on August 27, 1984 to be rezoned from “A” Agriculture to “M-1” Light Industrial.

3. The property to the west (Johnston Industrial Park lots 55-61 and 65-73) was approved on May 29, 1990 to be rezoned from “M-1” Light Industrial to “R-3A” Multiple-Family Residential District.

GOOD NEIGHBOR INFORMATIONAL MEETING COMMENTS

A Good Neighbor meeting was held on Wednesday, January 12, 2022 in the Council Chambers at City Hall. 8 people attended, including residents of primarily Morningview Subdivision. Applicant Jake Loveless and Matt Tapp, Project Engineer Matt Schlicht also attended to make the presentation and answer questions and concerns. City Planner Dylan Eppert and Development Services Director Jim Cadoret represented City staff. The comments below provide a summary of the meeting:

Matt Schlicht began the meeting by briefly explaining the project. He began by saying this application is for rezoning the property south of Dawn St and east of S. Sunrise Dr. A visual presentation was provided showing the conceptual plan for the development. The presentation moved on to showing proposed elevations for the development including four-plex and over under style multi-family dwellings. These units will range from 1,200 to 1,400 square feet per unit. The applicant also showed the location of possible amenities to include a dog park, playground, pickleball court ect.

Attendees had the following questions regarding the project:

Q: What will the location of amenities be? The applicant was initially unsure but did say that the focus for the amenities would be to have them centrally located for potential users to be drawn to the middle of the development.

Q: Is there a minimum number of bedrooms? The minimum number of bedrooms would be 2.

Q: How many people would this draw as far as tenants? The applicant stated on average less than four people per unit.

Q: Will this be hud housing No, the units will be rented at market rates.

Q: Will there be any kind of screening from Morningview subdivision to the proposed development? Yes there will be a type A screening (plantings and trees) required between the proposed development and the existing Morningview subdivision.

Q: The residents would like to have a fence instead of plantings, would the developer be willing to do that? Yes, the applicant would be willing to look at making

that an option. Discussion ensued about what type of fencing the residents would like to see? The residents want to see a vinyl opaque fence at least 6' in height.

Q: A concern was raised about kids coming onto Morningview subdivisions property as it occurs a lot already especially in the summertime. The applicant said that with this development it should hinder these types of occurrences as this area has always been an open field and by having a development in this location it would prevent people from trying to cross over. Also, the screening that the applicant is looking at providing would help the section of Morningview subdivision with this problem.

Q: A comment was made about liking the location of the amenities. Statement was acknowledged.

Q: What is the water pond representing? The water feature represents a dry detention pond. The water was to add effect.

Q: Will this be owned and operated by one person? Yes this property will be single ownership and maintained by the owner.

Q: Who would be building these structures? Summit Homes? The applicant stated it could be Summit Homes but then explained he is the developer and then would have to hire someone to build the structures and it could be Summit Homes.

Q: What will the ratio of 2 bedroom units be to three bedrooms? The interior of the site will be three bedroom units and the perimeter of the site will be two bedroom units.

Q: Lighting was brought up about being a potential problem? The lighting would be figured out in the Site plan process and the intention is for all lighting to be interior to the site. The worst case is someone's porch light being left on at night.

Q: Will there be gas utilities or only electric? The intention is to have all electric service.

Q: Would fireworks be allowed? Morningview subdivision has in their covenants no fireworks during the fourth of July celebration, could this be done with your development? It was joked about being limited to three days, but pointed to the City for any regulations that would need to be followed.

SECTION 215.060: - DISCHARGE PROHIBITED AT CERTAIN TIMES AND IN CERTAIN PLACES

- A. It shall be unlawful for any person to discharge or shoot any type of fireworks at any time within the City except permitted consumer fireworks may be discharged:

1. Between 10:00 A.M. and 10:00 P.M. July first (1st) through July third (3rd); and

2. Between 10:00 A.M. and 12:00 Midnight on July fourth (4th); unless any of said days fall on a Sunday, in which case permitted consumer fireworks may not be discharged before noon that day.

- B. Except as otherwise set forth in this Chapter, it shall be unlawful for any person to discharge any type of fireworks at any time in or on any public street, public sidewalk, public park or trail, public grounds or within the business district of the City, unless the City Council grants express approval.
- C. The City Council, by resolution, may permit the discharge of special fireworks on public or private property on July fourth (4th) or such other date as the Council may authorize, if the same is a public display for which no admission charge is collected and if the same is sponsored and conducted by the City or one (1) or more local organizations.

Q: Will pets be allowed? Will there be size limits? Yes pets will be allowed, and they could look at size limitations but normally, the limitations are on breeds not the size.

Q: Will there be a rental office and will there be a staff person on site living there? Yes there will be a leasing office inside of the community building. They would not require the person to live on site but they could rent a unit as a possibility but would not have staff 24/7.

Q: How long of a leasing term, as short term rentals are not preferred? The typical term is 1 year but they do have some people who are building a home or in between homes and only need a 6 month lease but 6 months would be the minimum.

Q: How long does the applicant intend to keep the property? As long as it makes sense to keep the property the developer wants to keep it but are going to always look at opportunities. The applicant stated, he has held a property for 10 years, 7 years and sold one after 5 years, so it really just depends.

STAFF COMMENTS

1. The property has been zoned “M-1” Light Industrial District since August 27, 1984 and has remained vacant.
2. The properties directly to the west of the site have been zoned “R-3A” Multiple-Family Residential District since 1990.
3. Morningview Subdivision to the south of the subject property was rezoned from “M-1” Light Industrial to “PUD” Planned Unit Development District in 1990.
4. **Section 420.010 Use-Specific Standards, Residential Uses**

a. Single-Family Attached and Multiple-Family Dwellings

i. Number of Buildings per Lot

Multiple buildings containing attached single-family and multiple-family dwellings are permitted on a single zoning lot.

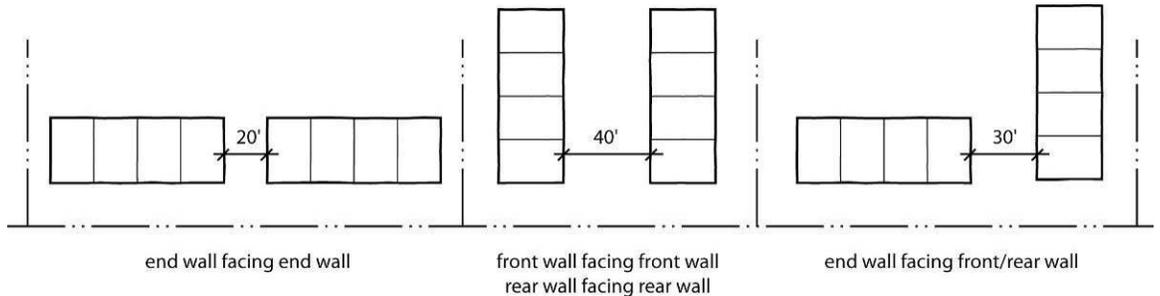
ii. Number of Units per Building

1. No more than eight attached single-family dwelling units are permitted within a single building.
2. There is no limit on the number of multiple-family dwellings permitted within a single building.

iii. Minimum Separation between Buildings

Single-family attached and multiple-family buildings situated around a courtyard will have the following minimum distance requirements as measured between exterior walls:

1. back to back, 40 feet;
2. front to front, 40 feet;
3. end to end, 20 feet;
4. end to back, 30 feet;
5. end to front, 30 feet;
6. no dwelling unit will face directly upon the rear of a building; and
7. service areas and vestibules, porches, balconies and canopies not extending more than 10 feet from the building, will be excluded from the distance requirements of this section.



5. The uses permitted in the R-3A district are as follows:

Use	R-3A	Use Standard
RESIDENTIAL USES		
Household Living		

Single-family Dwelling, Detached (conventional)	-	
Manufactured Home Residential – Design	-	Section 420.010D
Single-family Dwelling, Attached	S	Section 420.010A
Two-family Dwelling (Duplex)	P	
Multi-family Dwelling (3+ units)	S	Section 420.010A
Apartment Community	-	Section 420.010A
Cluster Residential Development	S	Section 420.010B
Manufactured Home Park	C	Section 420.010C
Employee Living Quarters	-	
Accessory Dwelling, Attached	-	Section 420.050E
Accessory Dwelling, Detached	-	Section 420.050E
Group Living		
Assisted Living	C	
Group Home	S	Section 420.010E
Nursing Care Facility	C	
Transitional Living	C	
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	
School	P	
Utilities		
Major	C	
Minor	P	
COMMERCIAL USES		
Animal Services		
Kennel	-	Section 420.030E

Use	R-1	Use Standard
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	

6. The Bulk Dimensional Standards for a property zoned “R-3A” Multiple-Family Residential District are shown below:

R-3A	
Minimum Lot Area	
per lot	12,000 Square Feet
per dwelling unit	2,000 Square Feet
Minimum Lot Width (ft.)	90
Minimum Lot Depth (ft.)	120
Yards, Minimum (ft.)	
Front	30
rear	30
side	10
Maximum Building Height (feet)	50
Maximum Building Coverage (%) [1]	40

7. As the subject property is identified for future development as “BP” Business Park District, “R-3A” Multiple-Family Residential District provides for a better transition as Commercial is to the north and Single-Family Residential to the south.
8. The applicant is proposing a 114-unit multi-family residential development under common ownership and maintenance. The units will be spread over 3 and 4-unit buildings on the site. The middle buildings will have 2 units on the 1st floor and 2 units on the 2nd floor. Amenities proposed include a clubhouse, detached garage units, a playground, dog park area, and a sport court.
9. Though not required, staff prepared a Memorandum of Understanding for the rezoning of the property. The MOU will restrict future development to the number of units and general layout of the submitted conceptual plan. The MOU will be finalized prior to 1st reading by the City Council of the rezoning application.
10. If the rezoning application is approved, the applicant will still have to come back for Site Plan approval and approval of the Final Plat.

ENGINEERING DIVISION RECOMMENDATION

See attached memorandum.

STAFF PROPOSED FINDINGS OF FACT

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

- 1. the character of the surrounding neighborhood, including the existing uses and zoning classification of properties near the subject property;** The character of the surrounding neighborhood has a wide variety of uses including single-family residential, multiple-family residential, apartment community residential, commercial and industrial. .
- 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 a mixture of commercial (freedom stop) and industrial to the east and north, multiple family to the west (Johnston Industrial Park), to the south is (Bristol Manor) and a planned unit development district (Morningview). There is a natural slope to the property with the high point being the southwest corner and gradually slopes down toward the northeast corner of the property.
- 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 Business Park, which allows for a mix of commercial and light industrial uses. This land is usually located along arterial roads. The subject property is only located along a local road being Dawn St. not along any arterial road.
- 4. suitability of the subject property for the uses permitted under the existing and proposed zoning districts;**
The property is suitable for multiple family development. As the property to the west was rezoned and developed for Multiple Family dwellings this application would provide another alternative for housing options.

With the subject property being zoned “M-1” Light Industrial District since 1984 and remaining vacant, it is not the best use for the property.
- 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;**

Originally the subject property was part of Tract A and B that was approved for Final Plat in 1979. Then the subject property was rezoned from Agriculture to Light Industrial in 1984.

As time passed a variety of different uses were proposed and approved including, commercial, industrial, multi-family, single family and apartment community. All these uses surround the subject property.

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

As the growth management plan does show future development for this property as a business park, 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 development especially to the southwest and west of the proposed 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, or will be available at the time development of the property occurs. There is existing water and sanitary sewer infrastructure to serve the property along S. Sunrise Dr. or E. Walnut St. The adjacent road network can adequately serve the site. Dawn St. will be extended east to create an extension of an existing east-west local road to serve the development as well as additional properties for the future.

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 subject property to be rezoned 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 provides a good transition as well as a buffer from the commercial and industrial uses to the north.

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 be gain to the public health, safety and welfare of the community as a result of the approval of the application. Approval preserves the land area for a development that is more in keeping with the character of the area.

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>City Council 1st</u>	<u>City Council 2nd</u>
Public Hearing	January 18, 2022	February 14, 2022	February 28, 2022

STAFF RECOMMENDATION

The rezoning of the subject property from “M-1” Light Industrial to “R-3A” Multiple-Family Residential District is the highest and best use. The MOU will reduce the maximum allowable density of the property by nearly 50% while providing assurance to the neighbors of the type of development that will occur on the property. The proposed rezoning will provide a residential development that is compatible with the surrounding land uses.

City staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and forward case #22001, reclassification of zoning from existing “M-1” Light Industrial District to “R-3A” Multiple-Family Residential District” of approximately 9.94 acres, to City Council with a recommendation of approval.

Memorandum

TO: Dylan Eppert , City Planner
FROM: Michael Krass, Director of Public Works
DATE: January 12, 2022
RE: Grube Rezoning

The site is located generally south of Dawn Street and east of Sunrise Drive.

Access to the site will be via an extension of Dawn Street.

Water service will be provided by extending a main from Sunrise Drive.

Sanitary service will be provided by connecting to an existing sewer located on the property.

All of the public infrastructure is adequate to support the proposed development of this property.



To: Planning and Zoning Commission
From: Dylan M. Eppert, City Planner
Date: January 18, 2022
Re: Case # 22002 - Johnny's Tavern Site Plan

GENERAL INFORMATION

Applicant: Louie Riederer
Johnny's Tavern, Inc
Property Owner: Raymore Group LLC.
3955 W. 83rd St.
Prairie Village, KS 66208
Requested Action: Site plan approval for Lot 4 at Raymore Market Center
Property Location: 716 W. Foxwood Dr.
Aerial Photograph:



Property Photographs:



(View looking south from the north property line)



(View looking west from N. Sunset Ln.)



(View looking north from W. Foxwood Dr.)



(View looking east from Heartland Dental Building)

Existing Zoning:

“C-3” Regional Commercial District

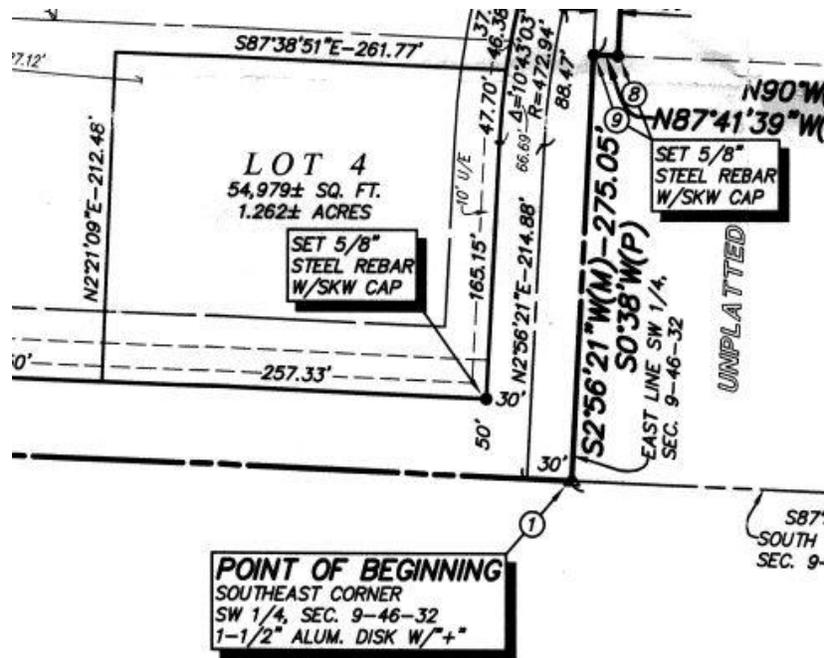


Existing Surrounding Uses:

- North: Undeveloped and Grocery Store (C-3)
- South: Gas Station and undeveloped lot (C-2)
- East: Undeveloped Commercial (C-2)
- West: Dental Office (C-3)

Total Tract Size: 1.26 Acres

Subdivision Plat: Raymore Market Center



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

Major Street Plan: The Major Thoroughfare Plan Map contained in the Growth Management Plan has W. Foxwood Dr. classified as a Major Arterial and N. Sunset Ln. classified as a Minor Collector.

Advertisement: City Ordinance does not require advertisement for Site Plans.

Public Hearing: City Ordinance does not require a public hearing for Site Plans.

PROPOSAL

Outline of Requested Action: The applicant seeks to obtain site plan approval for a proposed 8,101 square foot eating and drinking establishment. The building will include an indoor dining area, outdoor covered patio with fireplace and an area for yard games.

SITE PLAN REQUIREMENTS AND STANDARDS

In order for the applicant to accomplish the aforementioned action, they must meet the provisions of the Unified Development Code. Chapter 470 of the Unified Development Code outlines the requirements and actions that need to be taken in order to site plan property, specifically Section 470.160.

Section 470.160 Site Plan Review

A. Purpose

The City of Raymore recognizes that the nature of land development creates the potential for traffic congestion, overcrowding, adverse visual and environmental impacts, and health problems. The City strives to promote growth in Raymore while stabilizing the established residential character of the area. Site plan review regulates the development of structures and sites in a manner that takes into consideration the following considerations:

1. the balancing of landowners' rights to use their land, with the corresponding rights of neighboring landowners, residents and the general public, to live without undue disturbances (e.g., noise, smoke, vibration, fumes, dust, odor, glare, stormwater runoff, etc.);
2. the convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent areas or roads;
3. the adequacy of waste disposal methods and protection from pollution of surface or ground water;
4. the protection of historic and environmental features on the site under review and in adjacent areas;

5. the stability of the built environment, particularly residential neighborhoods, by promoting urban development which is compatible with clearly identified natural resources; and
6. the adequacy of provisions for resulting additional system demands which may be imposed by the development upon roads and streets, water supply and storage, storm sewerage, and sanitary sewerage and wastewater treatment and the consistency of the development with the City's Growth Management Plan.

B. Applicability

1. All applications for building permits for developments in the multi-family, commercial and industrial zoning districts are subject to site plan review in accordance with this section. All nonresidential uses in residential districts require site plan review.
2. No building permit will be issued without being granted site plan approval when it is required by this subsection.

C. Application

Applications for site plan review may be obtained from the Community Development Director. The application must be completed in its entirety in accordance with Section 470.010C and filed with the Community Development Director. The applicant must submit copies in accordance with the submission schedule regularly adopted by the Planning and Zoning Commission.

D. Procedure

1. Community Development Director Action
 - a. All site plans will be reviewed by the Community Development Director.
 - b. The Community Development Director has the authority to take final action (approve, conditionally approve or deny) on applications for:
 - (1) developments that have an approved site plan on file where the application proposes to expand the existing use by less than 10 percent or 5,000 square feet, whichever is less; or
 - (2) developments that have an approved site plan on file where the application proposes to modify signage, parking, landscaping or other minor feature and the proposed modifications will be in compliance with all requirements of this Code.
 - c. The Community Development Director must complete the review within 20 days of receiving a complete application.
2. Planning and Zoning Commission Action

With the exception of those cases identified in paragraph 1 above, all other applications for site plan review will be reviewed by the Community Development Director, and forwarded to the Planning and Zoning Commission for review and action. The Commission has the authority to take final action, and may approve, approve with conditions or disapprove the application.

3. Conditions of Approval

In approving a site plan, the Planning and Zoning Commission or, when applicable the Community Development Director, may impose reasonable conditions, safeguards and restrictions upon the applicant and the premises.

E. Findings of Fact

1. In order to be approved, the Community Development Director or Planning and Zoning Commission must find that the following conditions are met:

- a. the plan complies with all applicable standards of this code and all other applicable City ordinances and policies;
- b. the plan does not conflict with the adopted plans of the City of Raymore or the purpose and intent of this code;
- c. the proposed use is allowed in the district in which it is located;
- d. vehicular ingress and egress to and from the site, and circulation within the site provides provides for safe, efficient, and convenient movement not only within the site but also on adjacent roadways;
- e. the plan provides for safe, efficient, and convenient movement of pedestrians on and to the site;
- f. the arrangement of structures and buildings on the site allows for efficient use of the land, is compatible with development on adjacent property, and minimizes potential adverse impacts on existing or planned municipal infrastructure and services;
- g. open space and natural features on the site are arranged in such a way that unique natural resources are preserved and creates a desirable and functional environment for site users;
- h. the plan avoids unnecessary or unreasonable alterations to existing topography, preserves existing healthy, mature trees and woodlands, and designs drainage facilities to promote the use and preservation of natural watercourses;
- i. provides adequate parking for the use, including logical and safe parking and circulation;
- j. provides landscaping and screening as required by this code that creates logical transitions to adjoining uses, screens incompatible uses, minimizes the visual impact of the development on adjacent roads and properties, and utilizes native plant materials selected to withstand the local climate and individual site microclimates; and
- k. includes site illumination that has been designed and located to minimize adverse impacts on adjacent properties.

F. Effect of Approval

If the Planning and Zoning Commission or, when applicable, the Community Development Director approves a site plan, it will be considered permission to prepare and submit a building permit application that complies with the approved site plan and conditions of approval.

G. Appeals

1. The applicant may appeal the decision of the Community Development Director to the Planning and Zoning Commission.
 - a. The applicant must notify the Community Development Director of their intent to appeal within 10 days of the date of decision from the Community Development Director.
 - b. The Community Development Director will schedule the appeal for the next regularly scheduled Planning and Zoning Commission meeting which is no sooner than 15 days from the date the intent to appeal was filed.
 - c. The applicant must provide an additional 15 review copies of the drawings and the additional required fee along with the intent to appeal.
2. The applicant may appeal the decision of the Planning and Zoning Commission to the City Council.
 - a. The applicant must notify the Community Development Director of their intent to appeal, in writing, within 10 days of the date of the Planning and Zoning Commission meeting when the application was considered.
 - b. The Community Development Director will schedule the appeal for the next regularly scheduled City Council meeting provided it is at least 15 days from the date the intent to appeal was filed.
 - c. The applicant will provide an additional 15 review copies of the drawings along with the intent to appeal.

PREVIOUS ACTIONS ON THE PROPERTY

1. The subject property was rezoned to "C3" Regional Commercial District on May 21, 2006.
2. The Final Plat for the subject property was recorded in April 2007.
3. The subject property is part of the Raymore Market Center shopping center.

ENGINEERING DIVISION COMMENTS

Please refer to the attached memorandum.

STAFF COMMENTS

1. **Development Standards:** The development standards applicable to the property are as follows:

C-3	
Minimum Lot Area	
per lot	-
per dwelling unit	2,000 sq ft.
Minimum Lot Width (feet)	100
Minimum Lot Depth (feet)	100
Yards, Minimum (feet)	
front	30
rear	20
side	10
side, abutting residential district	20
Maximum Building Height (feet)	80
Maximum Building Coverage (%)	50

2. Special Use Conditions: The following special conditions exist for this use:

Section 420.030.F

Restaurant (*Amendment 25 – Ordinance 2017-051 8.28.17*)

1. The sale of alcoholic beverages will be permissible only as an adjunct, minor and incidental use to the primary use which is the sale and service of food.
2. Restaurants with drive-through facilities must meet the requirements of Section 420.030L.
3. Outdoor patio dining areas are allowed provided the patio area is at least one hundred feet (100') from any residentially zoned property or area containing residential uses.
 - a. Patio areas adjacent to vehicle access drives shall be protected with a railing or similar barrier.

3. Parking: A eating and drink establishment (restaurant) must comply with the following parking standard:

Use	Minimum Parking Spaces Required
COMMERCIAL USES	
Group Living	
Eating and Drinking Establishment	1 per 4 seats or 1 per 50 square feet of customer service area, whichever is greater

With 250 seats, a total of 63 parking spaces are required. With a customer service area of 4,577 square feet, a total of 92 parking spaces are required.

The Raymore Market Center was approved in 2006 and included a shared parking agreement for all tenants in the center. The Price Chopper/Retail Building A, constructed on Lot 1, provides the bulk of the parking area for the center. The total number of on-site parking spaces for Price Chopper exceed the parking requirement. When Taco Bell was constructed on Lot 2, additional parking spaces were added to the outlot and the on-site parking provided exceeded the minimum parking requirements. When Heartland Dental was constructed on Lot 3, additional parking spaces were added to the outlot and the on-site parking provided exceeded the minimum parking requirements.

Johnny's Tavern, proposed for Lot 4, provides 52 on-site parking spaces. An additional 59 spaces are provided to the west of the entrance to the restaurant, utilizing excess parking spaces provided on Lot 1. The shared parking agreement that was approved in 2006 is being utilized for the restaurant. Overall, the total number of parking spaces provided in the shopping center for all uses will still exceed the required number of parking spaces for all uses by 15 spaces.

Staff has determined that the proposed site plan is in compliance with the parking standards for the City of Raymore. The site plan also provides the required number of accessible parking spaces. A total of 3 accessible spaces are required and 3 spaces are provided.

4. Landscaping

Twenty percent (20%) of the site is required to be reserved for landscaped area. A landscaped area a minimum of six feet (6') in width shall be provided along each street frontage and along all perimeter property lines.

Five (5) existing trees along W. Foxwood Drive will be preserved. There are also five (5) existing trees along N. Sunset Ln.

The minimum six-foot (6') landscaped area is provided along all street frontages.

The required interior parking lot area landscaping and perimeter parking lot landscaping, including a tree, has been provided.

The proposed landscape plan does comply with the landscaping requirements of the UDC.

5. Building Design:

The proposed building is in compliance with the building design standards contained in Section 440.010 listed below.

Section 440.010 Building Design Standards

C. Building Materials

1. Masonry Construction

A minimum of 50 percent of front and side facades shall consist of materials described by this sub-section.

- a. Masonry construction shall include all masonry construction which is composed of solid, cavity, faced or veneered-wall construction, or similar materials approved by the Planning and Zoning Commission.
- b. Stone materials used for masonry construction may consist of granite, sandstone, slate, limestone, marble or other hard and durable all-weather stone. Ashlar, cut stone and dimensioned stone construction techniques are acceptable.
- c. Brick material used for masonry construction shall be composed of hard-fired (kiln-fired), all-weather common brick or other all-weather common brick or all-weather-facing brick.
- d. Concrete finish or precast concrete panel (tilt wall) construction shall be exposed or aggregate, hammered, sandblasted or other finish as approved by the Planning and Zoning Commission.
- e. Stucco or approved gypsum concrete/plaster materials are also permitted.

2. Glass Walls

Glass walls shall include glass-curtain walls or glass-block construction. A glass-curtain wall shall be defined as an exterior wall which carries no floor or roof loads and which may consist of a combination of metal, glass and other surfacing materials supported in a metal frame.

3. Metal Walls

- a. The use of metal siding is permitted only in industrial districts and only for side and rear façades. The materials used on the front façade shall be incorporated into any façade visible from a public street to break up the monotony of those facades.
- b. The use of corrugated panels, with a depth of less than three-quarter inch or a thickness less than U.S. Standard 26 gauge, is prohibited.
- c. The use of unpainted metal panels, excluding panels made from copper, weathering steel, or stainless steel, is prohibited. The color finish of metal panels and exposed fasteners shall have extended durability with high resistance to fade and chalk.
- d. Corrugated metal facades shall be complemented with masonry, whether brick, stone, stucco or split-face block. Architectural metal panels may be an acceptable substitute for masonry. Appropriate landscaping shall be used to complement and enhance a building's design, color and material.

6. Pedestrian Access:

Pedestrian access to the building has been provided. There are existing sidewalks on the north side of W. Foxwood Dr. and west of N. Sunset Ln. A sidewalk is proposed to be installed that connects the existing W. Foxwood Dr. sidewalk to the front entrance of the building which would include a painted crosswalk. There will also be an interior concrete sidewalk installed around the north, east and west perimeter of the proposed building.

7. Signage:

Signage is not approved as part of the site plan but is shown for illustration purposes only. A sign permit is required prior to installation of any sign.

8. Fire District Review:

The site plan was reviewed by the South Metropolitan Fire District.

The South Metropolitan Fire District requires the issuance of a building permit from the district. This permit is in addition to the building permit issued by the City of Raymore.

9. Stormwater Management:

Stormwater runoff is collected and detained in an underground enclosed storm sewer system. This system will then connect to the public stormwater system that crosses through the north side of the site which will ultimately drain into Johnston Lake as part of a regional detention collection system for this area.

10. Site Lighting:

There are eight existing light poles on the property that will remain. Building accent lighting will also be provided. The site is currently in compliance with the lighting standards of the City.

11. Trash Enclosure:

The exterior of the trash enclosure will be constructed of the same materials as the main building. The enclosure is located in the rear of the building.

12. Screening of Mechanical Equipment:

All electrical and mechanical equipment located adjacent to the building shall be screened from view from adjacent properties and any adjacent street. Accessory utility facilities that are in excess of 3 ½ feet shall be screened. The landscape plan does not show any screening around the equipment. This requirement will be

monitored when the equipment is installed to determine the applicability of the requirement.

13. Site Access

Access to the site will be provided off of Foxwood Drive, Johnston Drive and Sunset Lane through cross-access agreements with the shopping center.

14. Prohibition of Smoking In Outdoor Areas

In accordance with Section 270.050 of City Code, smoking is prohibited in the following outdoor places:

1. Within a reasonable distance of one-hundred (100) feet outside entrances, operable windows and ventilation systems of enclosed areas where smoking is prohibited so as to ensure tobacco smoke does not enter those areas.

STAFF PROPOSED FINDINGS OF FACT

Section 470.160 of the Unified Development Code states that the Planning and Zoning Commission and the City Council must make findings of fact taking into consideration the following:

a. the plan complies with all applicable standards of this code and all other applicable City ordinances and policies;

The site plan does comply with all applicable standards of the Unified Development Code and all other applicable City ordinances and policies.

b. the plan does not conflict with the adopted plans of the City of Raymore or the purpose and intent of this code;

The site plan does not conflict with any of the adopted master plans of the City or the purpose and intent of the Unified Development Code.

c. the proposed use is allowed in the district in which it is located;

An eating and drinking establishment (restaurant) is an allowable use in the C-3 zoning district subject to special conditions. The special conditions have either been met or do not apply to this proposed site plan application. The special conditions are listed as #2 under staff comments and reference (Section 420.030.F) of the Unified Development Code.

d. vehicular ingress and egress to and from the site, and circulation within the site provides for safe, efficient, and convenient movement not only within the site but also on adjacent roadways;

Vehicular ingress and egress to and from the site and circulation within the site provides for safe, efficient and convenient movement of vehicles. Access to the site is off of N. Sunset Ln, a minor collector road that will eventually extend north from W. Foxwood Dr. to 163rd St.

e. the plan provides for safe, efficient, and convenient movement of pedestrians on and to the site;

The site plan does provide for safe, efficient and convenient movement of pedestrians. Sidewalks are provided to allow pedestrians to access the site from W. Foxwood Dr. and N Sunset Ln. The Site Plan also shows painted cross walks to gain access from the above mentioned sidewalks.

f. the arrangement of structures and buildings on the site allows for efficient use of the land, is compatible with development on adjacent property, and minimizes potential adverse impacts on existing or planned municipal infrastructure and services;

The placement of the building on the site does allow for efficient use of the land and minimizes potential adverse impacts on existing and planned municipal infrastructure and services as well as the existing commercial property to the north.

g. open space and natural features on the site are arranged in such a way that unique natural resources are preserved and creates a desirable and functional environment for site users;

Open space is provided to the north and south of the building as well as through larger than typical parking islands, which help to delineate parking and vehicle movement through the site.

h. the plan avoids unnecessary or unreasonable alterations to existing topography, preserves existing healthy, mature trees and woodlands, and designs drainage facilities to promote the use and preservation of natural watercourses;

The site plan avoids unnecessary alterations to the site. There is minimal site grading necessary to develop the property.

i. provides adequate parking for the use, including logical and safe parking and circulation;

Parking for the use meets the minimum requirement and is provided in a logical manner. Circulation through the site is well planned.

j. provides landscaping and screening as required by this code that creates logical transitions to adjoining uses, screens incompatible uses, minimizes the visual impact of the development on adjacent roads and properties, and

utilizes native plant materials selected to withstand the local climate and individual site microclimates; and

Adequate landscaping is provided for the site. The required site trees are provided in addition to the on-site landscaping.

- k. includes site illumination that has been designed and located to minimize adverse impacts on adjacent properties.**

The site illumination already exists for this site and was designed and located to minimize adverse impacts on adjacent properties.

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>
Site Plan Review	January 18, 2022

STAFF RECOMMENDATION

Lot 4 of the Raymore Market Center is truly pad site ready, as no public improvements are necessary. This property is a 1st tier corner lot making it a highly desirable location for the proposed use.

The staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and approve Case #22002 - Johnny's Tavern Site Plan subject to the following conditions:

Prior to commencement of any land disturbance activities:

1. State of Missouri and City of Raymore land disturbance permits shall be obtained prior to the commencement of any site grading or land disturbance activities.
2. All erosion control measures identified on the site disturbance plan and required by the land disturbance permit must be installed prior to grading and these measures must be maintained until the requirements of the SWPPP are satisfied.

Prior to issuance of a Building Permit

3. Building construction plans shall be approved by the Building Official.
4. Existing trees and shrubbery along both Foxwood Drive and Sunset Lane are required to remain. Protection from encroachment of construction activities should be provided.

Prior to issuance of a Certificate of Occupancy:

5. All accessible parking spaces must be identified by signs complying with the Manual of Uniform Traffic Control Devices and the Department of Justice, Code of Federal Regulation 28 CFR Part 36, ADA Standards for Accessible Design. The sign must be vertically mounted on a post or wall no more than five feet from the space and centered on the width of the space.
6. Two of the accessible parking spaces shall be served by an access aisle a minimum of ninety-six inches wide and shall be designated "lift van accessible only" with signs that meet the requirements of the federal Americans with Disabilities Act.
7. If the electrical transformer box and any other accessory utility facility is taller than three and one-half feet or covers more than twenty-five square feet in area than it must be screened in accordance with Section 420.040D of the Unified Development Code.
8. Exterior utility connections to the building shall be screened.
9. All work shall be completed in accordance with the site plan approved by the Planning and Zoning Commission.

Perpetual Conditions:

10. Prior to removing erosion control measures at the conclusion of the project, the contractor must obtain concurrence from the City.
11. A signed copy of the weekly and post rain event erosion control inspection reports shall be submitted to the City upon completion of each report.
12. Owner must immediately notify City staff of any illicit discharge that enters or has the potential to enter the storm sewer system.

Memorandum

TO: Dylan Eppert , City Planner
FROM: Michael Krass, Director of Public Works
DATE: January 12, 2022
RE: Johnny's Tavern Site Plan

Johnny's Tavern is proposed to be constructed on Lot 4 of the Raymore Market Center.

All of the existing public facilities are adequate to accommodate this development. No additional public infrastructure improvements are required.

MONTHLY REPORT

December 2021

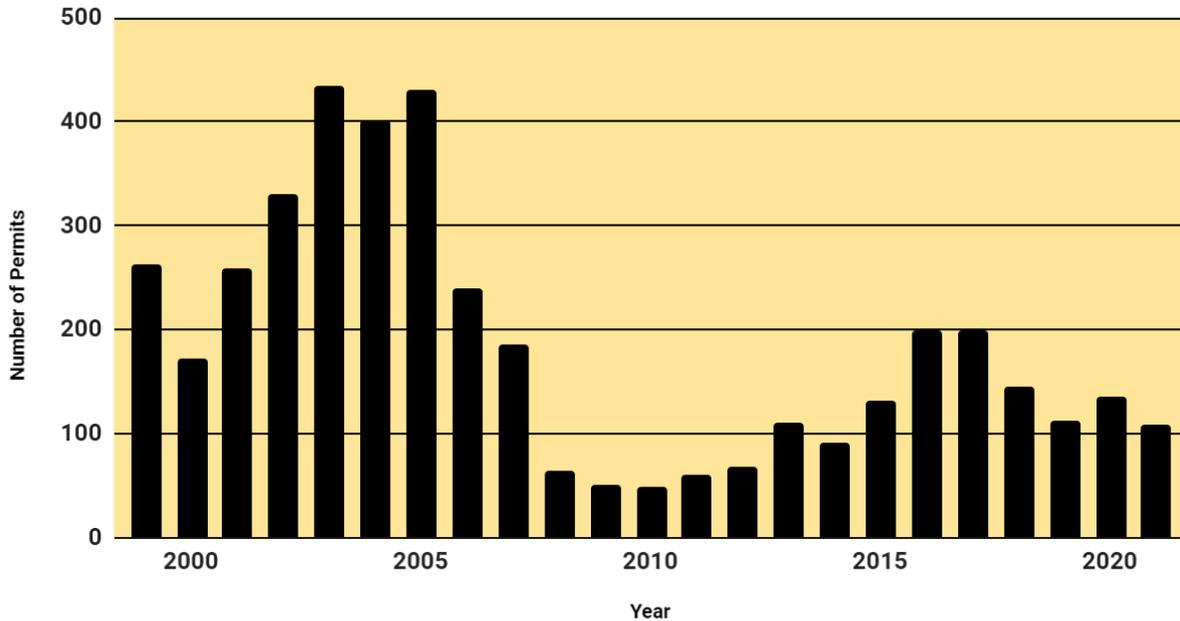
Building Permit Activity

Type of Permit	Dec 2021	2021 YTD	2020 YTD	2020 Total
Detached Single-Family Residential	7	108	136	136
Attached Single-Family Residential	46	166	22	22
Multi-Family Residential	0	0	396	396
Miscellaneous Residential (deck; roof)	43	574	1,240	1,240
Commercial - New, Additions, Alterations	3	38	13	13
Sign Permits	12	37	37	37
Inspections	Dec 2021	2021 YTD	2020 YTD	2020 Total
Total # of Inspections	236	3,882	4,447	4,447
Valuation	Dec 2021	2021 YTD	2020 YTD	2020 Total
Total Residential Permit Valuation	\$8,871,800	\$57,700,900	\$40,314,600	\$40,314,600
Total Commercial Permit Valuation	\$265,500	\$39,600,680	\$46,094,200	\$46,094,200

Additional Building Activity:

- Site work continues for The Venue of The Good Ranch townhome development.
- Tenant work was completed 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 was completed for Eastbrooke at Creekmoor 2nd Plat
- Site work continues for Eastbrooke at Creekmoor 3rd Plat
- Building construction continued for the South Metropolitan Fire Protection District administration building.
- Construction continued 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 was completed for Buff City Soap to locate at 2007 W. Foxwood Drive
- Tenant finish work continued for Wing Stop to locate at 1941 W. Foxwood Drive
- Tenant finish work continued for Salon 319 to locate at 319 Municipal Circle

Single Family Building Permits



Code Enforcement Activity

Code Activity	Dec 2021	2021 YTD	2020 YTD	2020 Total
Code Enforcement Cases Opened	44	575	565	565
<i>Notices Mailed</i>				
-Tall Grass/Weeds	0	85	96	96
- Inoperable Vehicles	16	191	185	185
- Junk/Trash/Debris in Yard	8	94	92	92
- Object placed in right-of-way	0	5	6	6
- Parking of vehicles in front yard	4	45	20	20
- Exterior home maintenance	8	63	43	43
- Other (trash at curb early; signs; etc)	0	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)	1	2	3	3
Signs in right-of-way removed	59	524	460	460
Violations abated by Code Officer	8	86	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
- Grube Rezoning
- Johnny's Tavern Site Plan

	As of Dec 31, 2021	As of Dec 31, 2020	As of Dec 31, 2019
Homes currently under construction	572 (252 units at Lofts of Foxridge)	570 (396 units at Lofts of Foxridge)	150
Total number of Undeveloped Lots Available (site ready for issuance of a permit for a new home)	200	268	348
Total number of dwelling units in City	9,073	8,801	8,663

Actions of Boards, Commission, and City Council

City Council

December 13, 2021

- Approved the reappointment of Kelly Fizer and Mario Urquilla to the Planning and Zoning Commission
- Approved the reappointment of Terri Woods, Ben Bailey and Aaron Harrison to the Board of Adjustment
- Approved on 2nd reading the rezoning of Lot 7 and Lot 10 in LeMor Estates
- Approved on 2nd reading the 34th amendment to the Unified Development Code
- Approved on 2nd reading the correction of the legal description for the Watermark Apartment Community rezoning
- Approved The Estates at Knoll Creek Preliminary Plat

December 20, 2021

- Approved the Madison Valley Preliminary Plat
- Approved on 1st reading the Conditional Use Permit for the Brown Event Space
- Approved on 1st reading the correction of the legal description in the Watermark rezoning request

Planning and Zoning Commission

December 7, 2021

- Recommended approval of the Conditional Use Permit for the Brown Event Center
- Approved the Watermark Apartment Community Site Plan

Board of Adjustment

December 14, 2021

- Approved a variance to allow a 2nd driveway at 712 Raven Street

Upcoming Meetings – January & February

January 4, 2022 Planning and Zoning Commission

- Meeting cancelled

January 10, 2022 City Council

- 2nd reading - Brown Event Center

January 18, 2022 Planning and Zoning Commission

- Johnny's Tavern Site Plan
- Rezoning of 10+ acres from M-1 to R-3A located south of Dawn Street, east of Sunrise Drive (public hearing)

January 24, 2022 City Council

- No applications currently pending

January 31, 2022 Joint Meeting of City Council and the Planning and Zoning Commission

February 1, 2022 Planning and Zoning Commission

- No applications currently pending

February 14, 2022 City Council

- 1st reading - Rezoning of 10+ acres from M-1 to R-3A located south of Dawn Street, east of Sunrise Drive (public hearing)

February 15, 2022 Board of Adjustment

- Application filed by Sean Seibert requesting a variance to the front yard setback for Lot 30 in Oak Ridge Farms (public hearing)

February 15, 2022 Planning and Zoning Commission

- No applications currently pending

February 28, 2022 City Council

- 2nd reading - Rezoning of 10+ acres from M-1 to R-3A located south of Dawn Street, east of Sunrise Drive (public hearing)

Department Activities

- Director Jim Cadoret participated in the Planner's Roundtable hosted quarterly by the Mid-America Regional Planning Council.
- Code Enforcement Officer Drayton Vogel participated in a virtual training session on code enforcement officer safety sponsored by the International Code Council.
- Development Services Director Jim Cadoret and City Planner Dylan Eppert met with department heads to continue staff work efforts on completion of the City Comprehensive Plan.
- A Certificate of Occupancy was issued for the new Buff City Soap located at 2007 W. Foxwood Drive Suite E.
- GIS Coordinator Heather Eisenbarth participated in the monthly meeting of the Missouri Geographic Information Systems Advisory Council.
- A Certificate of Occupancy was issued for [Heartland Dental](#) to open at 826 W. Foxwood Drive.
- Economic Development Director David Gress attended the monthly Raymore Chamber of Commerce Morning Coffee, hosted by 319 Salon & Suites (319 Municipal Circle).
- Economic Development Director David Gress and Mayor Kristofer Turnbow attended the annual board retreat of the Raymore Chamber of Commerce Board.
- Building Official Jon Woerner completed building construction plan review for the Raymore-Peculiar School District LEAD facility to be located in the former Orscheln's building.
- Demolition was commenced on the former Golden Corral restaurant. Construction on the new [Whataburger](#) restaurant will soon follow.
- The Raymore Universally Designed Home constructed by Wade Beck, Pinnacle Homes of Kansas City, received the [Better Living Design Designation](#) from the Better Living Design Institute.
- Economic Development Director David Gress and Mayor Kris Turnbow attended the Holiday Coffee Breakfast hosted by Country Club Bank (1000 W. Foxwood Drive).
- Dylan Eppert, Jim Cadoret, David Gress, Mike Ekey and Mayor Kris Turnbow attended the Missouri ARPA Economic Development Programs Webinar.
- A building permit has been issued for the Raymore-Peculiar School District LEAD Center to begin construction at the former Orscheln Farm & Home building.
- Foxwood Springs completed the replacement of their fire sprinkler system.

GIS Activities

- Web mapping application creation, indoor facility map for (point) asset collection
- Software updates & configuration for enterprise components, including printer(s)
- Creation of database index field(s) for (water) data to support new schema requirements
- Script updates of log reporting to include use detail of database services & sites
- Update of annual databases as requested; DNR, MO1Call, MARC, etc
- Production of cartographic maps as requested, City, wards, snow, etc
- Reporting as requested; activity, construction, etc
- Mapping of public assets & address management for dwellings/utilities
- Data delivery as requested; contractors, design engineers, architects, etc
- QA/QC of feature datasets, quarterly and annual review/update

To: Planning and Zoning Commission Members
From: James Cadoret, Development Services Director
Date: January 5, 2022
Re: Replacement Pages in the Unified Development Code

With the adoption of the 34th amendment to the Raymore Unified Development Code, staff has compiled replacement pages for your copy of the UDC. Included are the following page replacements:

- UDC Book Cover Sheet
- Appendix A (Chronological list of amendments to the UDC)
- Chapter 435: Signs - pages 5-8
- Chapter 460: Flood Protection - pages 5-6
- Chapter 470: Development Review Procedures - pages 1-2 and pages 21-22

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Raymore.Missouri

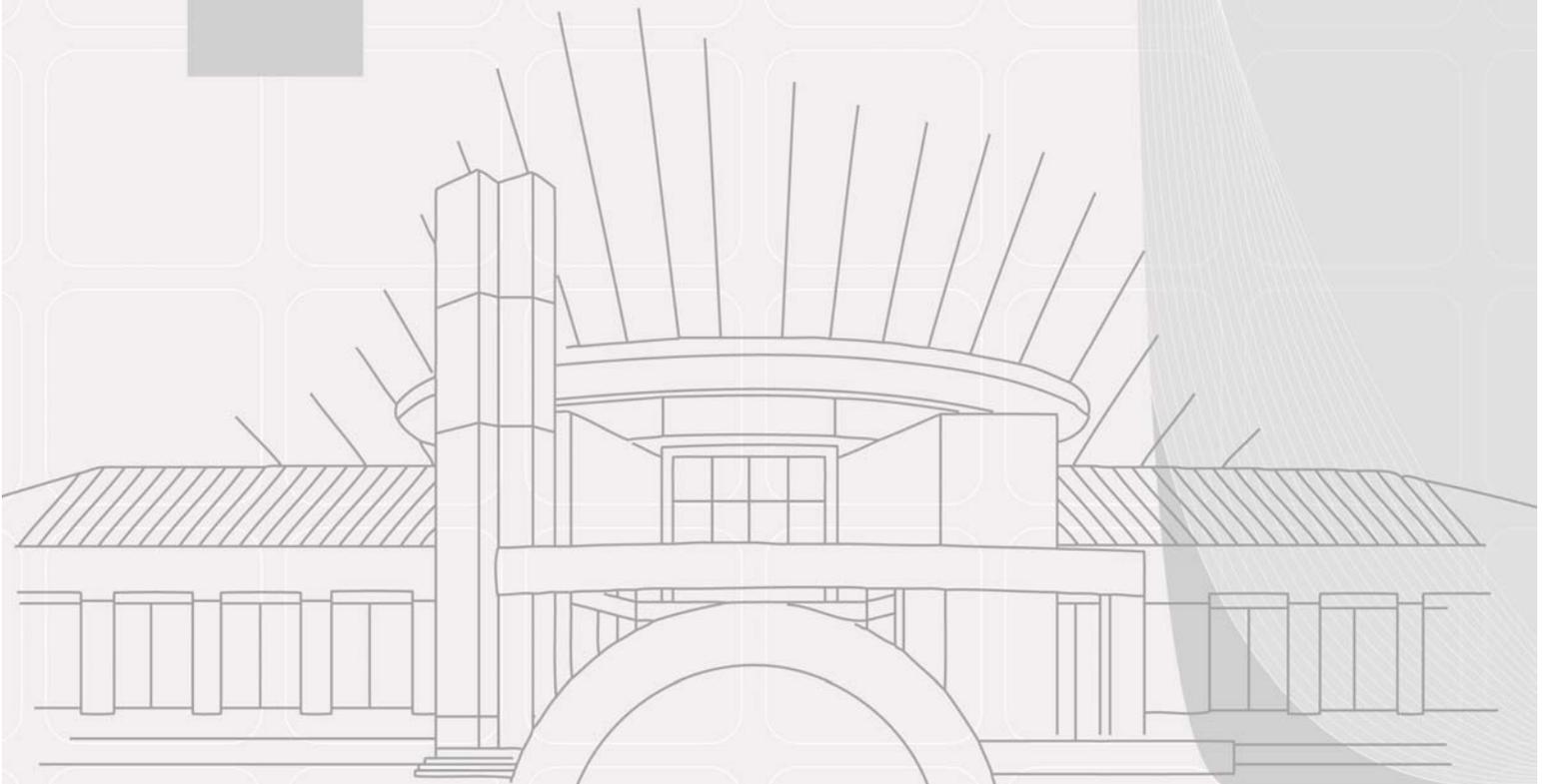
Community Development
www.raymore.com

100 Municipal Cir
Raymore, MO
64083

☎ 816-331-1803
☎ 816-331-8067

Effective Date
1.1.2009

Updated
through 34th
Amendment
12/13/2021



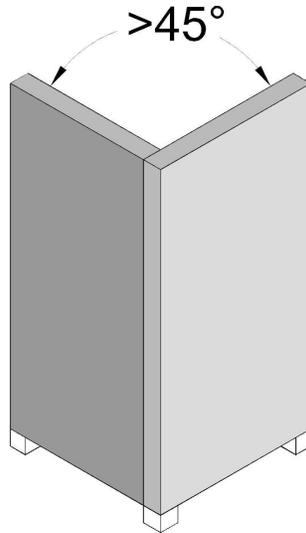
APPENDIX A

**CHRONOLOGICAL LIST OF
ORDINANCES ESTABLISHING AND AMENDING THE
UNIFIED DEVELOPMENT CODE
OF THE CITY OF RAYMORE, MISSOURI**

Ordinance Number	Amendment Number	Application Number	Date Adopted	Code Sections Affected	Summary of Changes
28117			12/8/2008	Established entire Ordinance	First Unified Development Code. Replaced City Code Chapter 400, 405, 410, 415, 420, 425 and 505
29025	1	09-004	3/9/2009	465.02	Planning Commission Membership 465.020B
29073	2	09-030	7/27/2009	Chapters 425,435,455, 465,470 and 485	Miscellaneous Changes 425.030 Residential Driveways 435.070A Temporary Signs 445.040M Stream Buffer 465.030A-D BOA 465.040 Community Dev. Dir 465.050A Dir of Public Works 465.060B DRC membership 470.010A Summary of Procedures 470.010C Inactive applications 470.140A Lot splits 485.010 Def - noncommercial msg. 435.050 Sign types permitted
29092	3	09-042	9/14/2009	Chapters 420 and 485	Renewable Energy Systems 420.070
29137	4	09-081	11/9/2009	Chapters 445 and 455	Removal of specific fees and replaced with reference to adopted Schedule of Fees and Charges 445.020F Mud deposit 445.040J Park Fee Commercial dev 455.010B land disturbance permit 455.010F Financial security
2010-34	5	10-005	4/26/2010	Chapter 415	Established the OT, Original Town Overlay District 415.050
2010-50	6	10-012	6/14/2010	Chapters 420, 435, 445 and 470	Miscellaneous changes 420.060 temporary uses 435.080 Illumination of signs 435.090 Sign maintenance 445.020H inspection of improvem. 470.170 vacation of easements

2010-67	7	10-016	8/9/2010	420.040B	Home Occupations
2011-09	8	10-032	2/28/2011	Chapters 405, 410, 420, 425, 445, 470, 480 and 485	Miscellaneous Changes
2011-22	9	11-001	4/11/2011	Chapter 435	Sign Regulations
2011-26	10	10-033	4/25/2011	415.02	CCO District Regulations
2011-52	11	11-004	8/8/2011	405.040; 410.040; 425.030; 445.020; 445.030	Miscellaneous Changes
2012-050	12	12-009	6/25/2012	445.03	Sidewalks on undeveloped lots
2012-074	13	12-025	9/24/2012	misc. sections	Miscellaneous Changes as recommended in 2012 annual review of UDC
2012-079	14	12-029	10/22/2012	455.040; 460.010	Adoption of new FIRM
2013-010	15	13-001	02/11/2013	420.060	Temporary Uses
2013-056	16	13-017	08/26/2013	Misc. sections	Miscellaneous Changes from 2012 UDC Annual Review
2014-005	17	14-001	02/10/2014	Misc. sections	Canopy lighting; sidewalks on corner lots; inflatable sign permit
2014-006	18	14-002	02/10/2014	Misc. sections	Accessory dwelling units
2014-063	19	14-003	9/8/2014	455.04	stream buffers
2014-064	20	14-021	9/8/2014	Chapter 451	stormwater treatment
2015-005	21	14-035	1/26/2015	Misc. sections	Miscellaneous Changes from 2014 UDC Annual Review
2015-068	22	15-013	9/14/2015	Misc. sections	Miscellaneous Changes from 2015 UDC Annual Review
2015-091	23	15-018	12/28/2015	445.030K2a	Sidewalk on undeveloped corner lots
2017-004	24	16-029	2/13/2017	Misc sections	Miscellaneous Changes from 2016 UDC Annual Review
2017-051	25	17-022	8/28/2017	Misc. sections	Miscellaneous Changes from 2017 UDC Annual Review
2018-008	26	17-033	1/22/2018	Misc. sections	Animals on residential lots; solar energy systems
2018-041	27	18-002	6/11/2018	420.050	Accessory Dwelling Units
2018-066	28	18-012	9/10/2018	misc. sections	Miscellaneous changes from 2018 UDC Annual Review

2019-003	29	18-025	1/14/2019	sidewalk	increase sidewalk width
-	30	19-005	DENIED 6/24/2019	405.040D	keeping of fowl
2019-48	31	19-018	7/22/2019	405.020H	Medical Marijuana Facilities
2020-056	32	20-012	10/12/2020	420.040C8	Small Wireless Facilities
2020-068	33	20-025	11/23/2020	Misc. sections	Miscellaneous changes from 2020 UDC Annual Review
2021-073	34	21-031	12/13/2021	Misc. sections	Miscellaneous changes from 2021 UDC Annual Review



Section 435.040 Standards of General Applicability *(Amendment 9 – Ordinance 2011-22 4.11.11)*

A. Materials and Construction

1. Except as otherwise expressly stated in this chapter, all permanent signs, sign structures and non-structural trim must be constructed of approved combustible or non-combustible materials.
2. Letters, figures, characters or representations in cutout or irregular form maintained in conjunction with, attached to or superimposed upon any sign must be safely and securely built or attached to the sign structure.
3. Illuminated signs produced in quantity (as opposed to signs custom-built for specific locations) must be constructed in accordance with the “Standards for Electric Signs” (U.L. 48) of the Underwriters’ Laboratories, Inc.
4. All electrical signs must be connected to permanent electrical service installed according to the requirements of the electrical code. All wiring for newly constructed detached signs must be underground.
5. Any sign, other advertising structure, marquee, canopy or awning as defined in this chapter must be designed and constructed to withstand a wind pressure of not less than 25 pounds per square foot of net surface area; and must be constructed to receive dead loads as required in the building code and/or other City ordinances.
6. Any sign drawing submitted with a sign permit application for a monument or projecting sign shall include the signature and seal of an engineer or architect registered in the State of Missouri.

B. Obstructions

1. All signs must comply with the intersection visibility standards of Section 440.040.
2. No sign may interfere with, block or obstruct:
 - a. any vehicular entrance or exit to a parking lot;

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- b. any vehicular access way;
- c. any parking space; or
- d. any pedestrian sidewalk, path or crosswalk.

C. Landscaping

All monument signs for new developments must be landscaped according to Section 430.050.

D. Noncommercial Messages

Any sign allowed under this chapter may contain, in lieu of any other message or copy, any lawful noncommercial message, so long as the sign complies with the size, height and other requirements of this chapter.

E. Master Signage Plan

A master signage plan shall be submitted with any site plan application for new developments. The signage plan should generally depict location and design of monument and wall signs. The actual tenant name does not need to be identified on the signage plan.

Section 435.050 Sign Types Permitted *(Amendment 2 – Ordinance 29073 7.27.09) (Amendment 9 – Ordinance 2011-22 4.11.11) (Amendment 34 - Ordinance 21-073 12.13.2021)*

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 435.060 Additional Standards for Specific Sign Types *(Amendment 9 – Ordinance 2011-22 4.11.11)*

The following standards are in addition to the applicable standards as specified in Section 435.050.

A. Wall Signs

1. A wall sign that is attached to a masonry wall shall be secured by means of anchors, bolts and expansion screws, masonry nails or similar connectors. A wall sign that is attached to a wall of wood may be anchored with wood blocks and screws.
2. Signs advertising special services count against the allowable total number of signs and sign area (e.g. pharmacy sign on a discount store).

- 6.** subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, located within special flood hazard areas are required to assure that:
 - a.** all such proposals are consistent with the need to minimize flood damage;
 - b.** all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage;
 - c.** adequate drainage is provided so as to reduce exposure to flood hazards; and
 - d.** all proposals for development, including proposals for manufactured home parks and subdivisions, of five acres or 50 lots, whichever is lesser, include within such proposals base flood elevation data.

E. Storage, Material and Equipment

- 1.** The storage or processing of materials within the special flood hazard area that are, in time of flooding, buoyant, flammable, explosive or could be injurious to human, animal or plant life is prohibited.
- 2.** Storage of other material or equipment may be allowed if not subject to major damage by floods, if firmly anchored to prevent floatation, or if readily removable from the area within the time availability after a flood warning.

F. Agricultural Structures

Structures used solely for agricultural purposes in connection with the production, harvesting, storage, drying or raising of agricultural commodities, including the raising of livestock, may be constructed at-grade and wet-floodproofed, provided:

- 1.** there is no human habitation or occupancy of the structure;
- 2.** the structure is of single-wall design;
- 3.** there is no permanent retail, wholesale or manufacturing use included in the structure;
- 4.** a variance has been granted from the floodplain management requirements of this chapter; and
- 5.** a floodplain development permit has been issued.

G. Accessory Structures

Structures used solely for parking and limited storage purposes, not attached to any other structure, of limited investment value and not larger than 400 square feet may be constructed at-grade and wet-floodproofed provided:

- 1.** there is no human habitation or occupancy of the structure;
- 2.** the structure is of single-wall design;
- 3.** a variance has been granted from the standard floodplain management requirements of this chapter; and
- 4.** a floodplain development permit has been issued.

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 *(Amendment 34 - Ordinance 21-073 12.13.2021)*

- 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.
- 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.

2. Non-residential Construction *(Amendment 21 – Ordinance 2015-005 1.26.15)*

- a. New construction or substantial improvement of any commercial, industrial or other non-residential structure, including manufactured homes, must have the lowest floor, including the basement, elevated to or one foot above the base flood level or, together with attendant utility and sanitary facilities, be flood-proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect must certify that the standards of this subsection are satisfied. Such certification must be provided to the Floodplain Administrator as set forth in Section 460.060.
- b. 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.

3. All Construction

Require for all new construction and substantial improvements that fully enclosed areas below lowest floor used solely for parking of vehicles, building access or storage in an area other than a basement and that are subject to flooding must be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

- a. a minimum of two openings having a total net of not less than one square inch for every square foot of enclosed area subject to flooding must be provided; and
- b. the bottom of all openings must be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

Section 460.090 Manufactured Homes

- A. All manufactured homes to be placed within all unnumbered and numbered A zones and AE zones on the community's FIRM must be installed using methods and practices that minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist floatation, collapse or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.

Chapter 470. Development Review Procedures

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) (Amendment 34 - Ordinance 21-073 12.13.2021)*

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	D	A			
Preliminary subdivision plat	R		[R]	[D]	
Final subdivision plat	R		R	D	
Replat	D	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

B. Pre-application Conferences

1. Purpose and Applicability

- a. Before submitting a formal application for a map amendment, preliminary plat, conditional use, planned unit development, or site plan, the applicant or his/her agent and the applicant's engineer and/or land planning consultant must confer with the Development Review Committee. The purpose of this conference is to inform the applicant of the requirements of development regulations as they apply to the property in question and to alert the applicant to potential problems with the location or design of the subdivision or proposed development. The purpose of the inquiry is for the

owner to become familiar with procedures required by the City of Raymore, and potential challenges with the project, including:

- (1) procedure for filing plans;
- (2) availability of public infrastructure;
- (3) Growth Management Plan requirements for improvements such as arterial and collector streets, land use, parks, schools and public open spaces;
- (4) anticipated need to submit technical studies, such as a traffic study or preliminary stormwater study;
- (5) zoning requirements for the property in question and adjacent properties;
- (6) special setback requirements for arterial, collector and local streets; and
- (7) citizen concerns.

2. Conference Procedure

The Development Review Committee will hold a conference with the applicant to discuss the proposed development. Areas of discussion will include the adequacy of sanitary and other services, streets, pavement, storm water drainage, and provisions for maintenance of public or common property, or sanitary and water supply services, and of the character of the subdivision, minimum dwelling size, and other proposed lot characteristics and such other matters relevant to the preparation of a preliminary plat or complete plan application.

C. Applications

1. Contents

- a. All applications required under this chapter must be submitted in a form and the number required by the Development Services Director, unless otherwise specified.
- b. Officials responsible for accepting applications must maintain a list specifying the materials and information to be submitted with each application filed. The list must be made available to all applicants and to any other person who requests a copy.
- c. All applications shall include the submission requirements as identified in the application packet.

2. Completeness

- a. An application will be considered complete and ready for processing only if it is submitted in the required number and form, includes all required information, and is accompanied by the required fee. The Development Services Director has the authority to determine whether the application is complete.
- b. If an application is determined to be incomplete, written notice explaining the deficiencies must be provided to the applicant.
- c. No further processing of incomplete applications will occur until the deficiencies are corrected. If the deficiencies are not corrected by the applicant within 90 days, the application will be considered withdrawn.

3. Filing Fees *(Amendment 8 – Ordinance 2011-9 2.28.11)*

Applications must be accompanied by the fee amount approved by the Governing Body and

Chapter 470. Development Review Procedures

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. Development Services Director Review *(Amendment 34 - Ordinance 21-073 12.13.2021)*

All proposed minor subdivision plats will be submitted to the Development Services Director for review. 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.

E. Recording; Effect of Approval *(Amendment 34 - Ordinance 21-073 12.13.2021)*

Upon approval of the minor subdivision plat by the Development Services Director, 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 470.110 Preliminary Plat

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 *(Amendment 16 – Ordinance 2013-056 8.26.13) (Amendment 19 – Ordinance 2014-063 9.8.14)*

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