

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 EPPERT, 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  
Mayor Turnbow

Aye  
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