



# RAYMORE PLANNING AND ZONING COMMISSION AGENDA

**Tuesday, May 17, 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 the April 19, 2022 meeting
  - b. Case #22013 - Raymore Commerce Center 2nd Final Plat
6. Unfinished Business - None
7. New Business -
  - a. Case #22012 - Raymore Commerce Center South PUD Rezoning (*public hearing*)
8. City Council Report
9. Staff Report
10. Public Comment
11. Commission Member Comment
12. Adjournment

## **MEETING PROCEDURES**

### **The following rules of conduct apply:**

1. Public can only speak during the meeting under the following circumstances:
  - a. The citizen has made a formal request to the Development Services Department to make a personal appearance before the Planning Commission; or,
  - b. A public hearing has been called by the Chairman and the Chairman has asked if anyone from the public has comments on the application being considered; or
  - c. A citizen may speak under Public Comment at the end of the meeting.
2. 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.
3. Please turn off (or place on silent) any pagers or cellular phones.
4. Please no talking on phones or with another person in the audience during the meeting.
5. Please no public displays, such as clapping, cheering, or comments when another person is speaking.
6. 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, and open the public hearing, if applicable.
2. Applicant 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 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.



**To:** Planning and Zoning Commission  
**From:** Dylan M. Eppert, City Planner  
**Date:** May 17, 2022  
**Re:** Case #22013: Raymore Commerce Center - Second Plat (Lots 2 and 3)

**GENERAL INFORMATION**

**Applicant/  
Property Owner:** VanTrust Real Estate  
% Grant Harrison  
4900 Main Street, Ste 400  
Kansas City, MO 64112

**Property Location:** SE of I-49 and North Cass Parkway



**Existing Zoning:** PUD Planned Unit Development District

**Existing Surrounding Zoning:** **North:** C-3 - Regional Commercial District  
PUD - Planned Unit Development District  
**South:** PUD - Planned Unit Development District  
A- Agriculture  
**East:** A - Agricultural District  
**West:** I-49

**Existing Surrounding Uses:** **North:** Light Industrial Warehousing (Lot 1)  
**South:** Undeveloped  
**East:** Undeveloped  
**West:** Interstate 49

**Total Tract Size:** 89.3522 acres

**Total Number of Lots:** 2 Lots

**Density – units per Acre:** n/a

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

**Major Street Plan:** The Major Thoroughfare Plan Map classifies Dean Avenue and North Cass Parkway as minor arterial roads.

**Advertisement:** City Ordinance does not require advertisement for Final Plats.

**Public Hearing:** City Ordinance does not require a public hearing for Final Plats

## **PROPOSAL**

Outline of Requested Action: The applicant seeks to obtain Final Plat approval for *Raymore Commerce Center, Second Plat*

City Ordinance Requirements: 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 final plat property, specifically, Section 470.130.

## PREVIOUS ACTIONS ON OR NEAR THE PROPERTY

1. The property was rezoned to PUD Planned Unit Development District in December 2019. The rezoning to PUD included approval of the preliminary plan.
2. The North Cass Plaza Final Plat to the north was approved in November 2020.
3. A sixty foot transmission line easement bounds the property to the north and is identified in this proposed plat.
4. The Dean Avenue Right of Way Extension Final Plat was recorded in October 2020. Construction for the extension of Dean Avenue has been majorly completed for this development.
5. The site plan for the Raymore Commerce Center, including the building under construction on the subject property, was approved by the Planning and Zoning Commission on October 16, 2018.
6. Raymore Commerce Center 1st Plat was approved December 21, 2020 which included only lot 1.

## ENGINEERING DIVISION COMMENTS

The Engineering Division indicated the proposed final plat complies with the design standards of the City of Raymore and recommends approval of the final plat.

## STAFF COMMENTS

1. The current bulk and dimensional standards for the PUD Planned Unit Development zoning district are as follows:

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

2. The proposed project was shared with the South Metropolitan Fire Protection District. The District had no comments or concerns.
3. Approval of the preliminary plan, and approval of the site plan, allowed construction of the building upon the lot to be commenced prior to approval of the final plat. The final plat must be approved and recorded prior to the issuance of a Certificate of Occupancy for the building on the lot.
4. The lot is located within the service area of Cass County Water Supply District #10. Extension of the water main to serve the property has been completed.
5. Sanitary sewer mains were extended to serve any development upon the lot.

## PLANNING COMMISSION PROPOSED FINDINGS OF FACT

Section 470.130 of the Unified Development Code states that the Planning and Zoning Commission will recommend approval and the City Council will approve the final plat if it finds the final plat:

1. **is substantially the same as the approved preliminary plat;**

The proposed final plat is substantially the same as the approved preliminary plan.

2. **complies with all conditions, restrictions and requirements of this Code and of all other applicable ordinances and design standards of the City; and;**

The proposed final plat does comply with all conditions, restrictions and requirements of the Unified Development Code and all other applicable ordinances and design standards for the City.

3. **complies with any condition that may have been attached to the approval of the preliminary plat.**

There were no conditions attached to the approval of the preliminary plan.

## REVIEW OF INFORMATION AND SCHEDULE

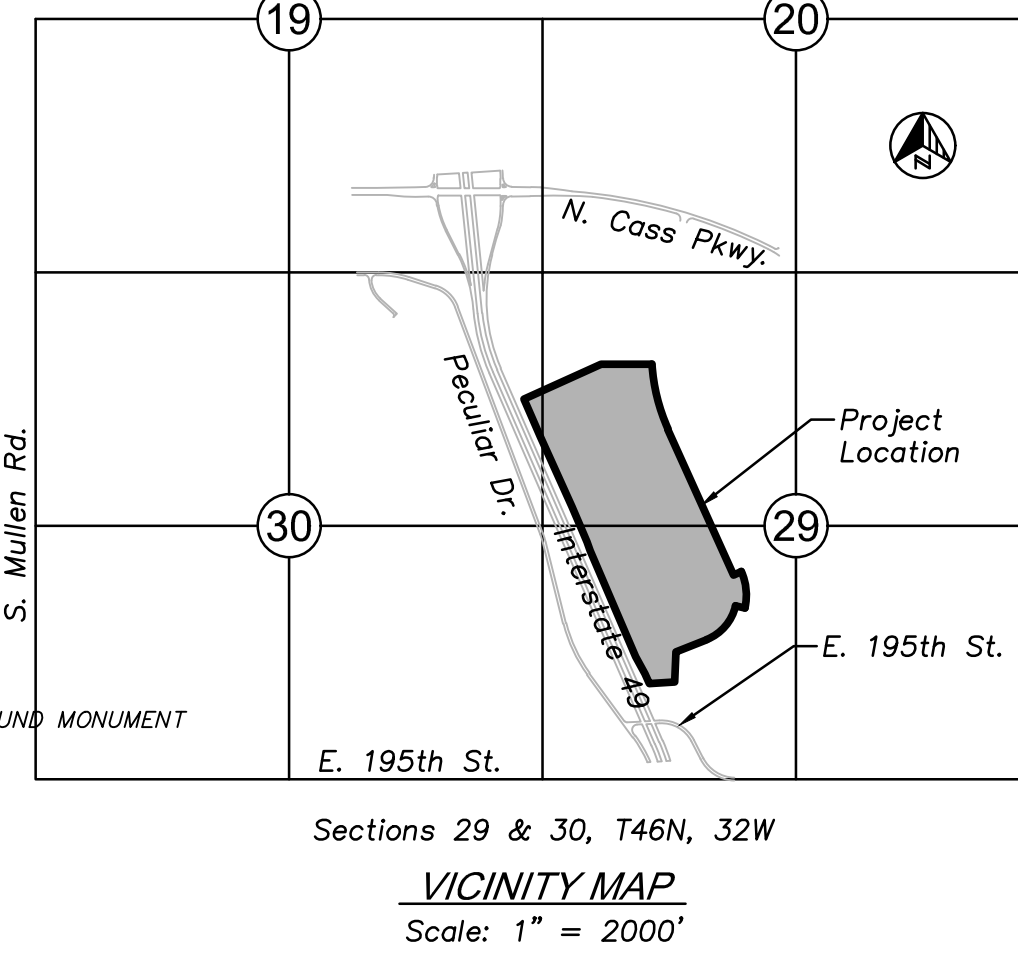
<u>Action</u>	<u>Planning Commission</u>	<u>City Council 1<sup>st</sup></u>	<u>City Council 2<sup>nd</sup></u>
Review	May 17, 2022	May 23, 2022	June 13, 2022

## **STAFF RECOMMENDATION**

Staff recommends that the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case #22013 Raymore Commerce Center - Second Plat to the City Council with a recommendation of approval.

Final Plat

Raymore Commerce Center, Second Plat  
 A Replat of Tract A, Dean Avenue Extension ROW 1st Plat, a subdivision in the City of Raymore, Cass County, Missouri, together with an unplatted tract of land, lying in part of the Northeast Quarter of Section 30, and in the Northwest Quarter and the Southwest Quarter of Section 29, all in Township 46 North, Range 32 West



Area Summary Table

Lot 2	1,199,049 S.F.	27.5264 Ac.
Lot 3	2,556,418 S.F.	58.6873 Ac.
New Dean Avenue R/W #1	35,575 S.F.	0.8167 Ac.
New Dean Avenue R/W #2	101,139 S.F.	2.3218 Ac.
<b>Total</b>	<b>3,892,181 S.F.</b>	<b>89.3522 Ac.</b>
Tract A Replatted Area	47,448 S.F.	1.0893 Ac.

**Property Description:**  
 All that part of Tract A, Dean Avenue Extension ROW 1st Plat, a subdivision of land in the City of Raymore, Cass County, Missouri, together with an unplatted tract of land lying in part of the Northeast Quarter of Section 30, and in the Northwest Quarter and part of the Southwest Quarter of Section 29, Township 46 North, Range 32 West, all lying East of the existing right-of-way for U.S. Interstate Highway No. 49 (formerly known as U.S. Hwy. 71), being more particularly described by Timothy B. Wiswell, MO PLS-200900067, of Cass County, Missouri, as established in Book 513, Page 429, and as depicted on the highway plans for project number F-71-4(9), said point also being the POINT OF BEGINNING; thence North 20 degrees 01 minute 35 seconds East, on the South line of said Lot 2, a distance of 373.35 feet to the Southeast corner of said Lot 1, Raymore Commerce Center First Plat, a subdivision of land in the City of Raymore, Cass County, Missouri, according to the record plat thereof; thence North 68 degrees 53 minutes 58 seconds East, on said East right-of-way line and on the Southeastery line of said Lot 1, a distance of 881.05 feet, to a point on the South line of said Lot 1; thence South 77 degrees 03 minutes 19 seconds East, on said South line, a distance of 526.34 feet, to a point on the Eastern right-of-way line of said Tract A of Dean Avenue Extension Row 1st Plat, a subdivision in the City of Raymore, Cass County, Missouri, said point being the beginning of a non-tangent curve; thence Southerly and Southeasterly, departing said South line and on said Easterly right-of-way line and on a curve to the left, whose initial tangent bears South 00 degrees 21 minutes 17 seconds East, having a radius of 1,940.00 feet, through a central angle of 20 degrees 44 minutes 45 seconds, an arc length of 702.44 feet, to a point on the Southeasterly right-of-way line of said Tract A of Dean Avenue Extension Row 1st Plat, said point being on a non-tangent line; thence South 21 degrees 06 minutes 02 seconds East, on said Southeasterly right-of-way line, a distance of 1665.77 feet to the Southeast corner of said Tract A, said corner also lying on the South line of Dean Avenue right of way, said corner also being the beginning of a non-tangent curve; thence in a Southerly direction, departing said South line and on a curve to the right whose initial tangent bears South 15 degrees 57 minutes 34 seconds West, having a radius of 500.00 feet, through a central angle of 55 degrees 23 minutes 12 seconds, an arc distance of 493.34 feet to a point of tangency; thence South 71 degrees 20 minutes 46 seconds West a distance of 347.72 feet to a point; thence South 05 degrees 21 degrees 09 seconds West, a distance of 310.85 feet to a point; thence South 89 degrees 35 minutes 22 seconds West, a distance of 266.61 feet to a point the Easterly right-of-way line of said Interstate 49; thence North 20 degrees 01 minute 35 seconds East, on said East right-of-way line, a distance of 112.39 feet to a point; thence North 25 degrees 44 minutes 13 seconds West, on said Easterly right-of-way line, a distance of 201.00 feet to a point; thence North 20 degrees 01 minute 35 seconds West, on said Easterly right-of-way line, a distance of 1200.00 feet to a point of tangency; thence North 17 degrees 09 minutes 50 seconds West, on said Easterly right-of-way line, a distance of 100.12 feet to a point; thence North 20 degrees 01 minute 35 seconds West, on said Easterly right-of-way line, a distance of 169.58 feet to the POINT OF BEGINNING, containing 3,892,181 square feet or 89.3522 acres, more or less.

**Plat Dedication:**  
 The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner shown on the accompanying plat which subdivision shall be hereafter known as "Raymore Commerce Center, Second Plat."

**Easement Dedication:**  
 An easement is hereby granted to the City of Raymore, Cass County, Missouri, for the purpose of locating, constructing, operating, and maintaining facilities for gas, electricity, sewage, telephone, cable tv and surface drainage, including but not limited to, underground pipes and conduits, post mounted transformers, services pedestals, any or all of them upon, over, under and along the strips of land designated Utility Easements (U/E) and Sewer Easements (S/E), provided that the easement granted herein is subject to any and all existing easements. Any utilities located within the designated Utility Easements, by virtue of their existence, do hereby covenant, consent, and agree that they shall be subordinate to said public right of way in the event that additional public right of way is dedicated over the location of the Utility Easement, or other easements are designated for a particular purpose, the use thereof shall be limited to that purpose only. All of the above easements shall be kept free from any and all obstructions which would interfere with the construction or reconstruction and proper, safe and continuous maintenance of the aforesaid uses and specifically there shall not be built thereon or thereover any structure (except driveways, paved areas, grass, shrubs and fences) nor shall there be any obstruction to interfere with the agents and employees of Raymore, Cass County, Missouri, and its franchised utilities from going upon said easement and as much of the adjoining lands as may be reasonably necessary in exercising the rights granted by the easement. No excavation or fill shall be made or operation of any kind or nature shall be performed which will reduce or increase the earth coverage over the utilities above stated or the appurtenances thereto without a valid permit from the department of public works.

**Execution:**  
 IN TESTIMONY WHEREOF, the undersigned proprietor has caused this instrument to be signed this day of 2022.

OWNER OF Lot 2: KD Raymore Phase 3, LLC, a Missouri limited liability company

David M. Harrison, Manager

STATE OF \_\_\_\_\_ )  
 COUNTY OF \_\_\_\_\_ ) SS

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2022, before me came David M. Harrison, Manager of KD Raymore Phase 3, LLC, a Missouri limited liability company, to me, a personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same. In testimony whereof, I have hereto set my hand and affixed my notarial seal the day and year above written.

IN WITNESS WHEREOF, I have hereto subscribed my name and affixed my official seal the day and year last above written.

Notary: \_\_\_\_\_ My appointment expires: \_\_\_\_\_

**Execution:**  
 IN TESTIMONY WHEREOF, the undersigned proprietor has caused this instrument to be signed this day of 2022.

OWNER OF Lot 3: KD Raymore Phase 2, LLC, a Missouri limited liability company

David M. Harrison, Manager

STATE OF \_\_\_\_\_ )  
 COUNTY OF \_\_\_\_\_ ) SS

BE IT REMEMBERED, that on this \_\_\_\_\_ day of \_\_\_\_\_, 2022, before me came David M. Harrison, Manager of KD Raymore Phase 2, LLC, a Missouri limited liability company, to me, personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same. In testimony whereof, I have hereto set my hand and affixed my notarial seal the day and year above written.

IN WITNESS WHEREOF, I have hereto subscribed my name and affixed my official seal the day and year last above written.

Notary: \_\_\_\_\_ My appointment expires: \_\_\_\_\_

**Surveyor's Notes:**

- Basis of Bearings: Held the South line of the Northwest Quarter of Section 29, Township 46 North, Range 32 West = S87°01'13" E, Missouri Coordinate System 1983, West Zone. Distances shown hereon are ground distances in US Survey Feet.
- According to National Flood Insurance Program, Flood Insurance Rate Map for Cass County, Missouri and Incorporated Areas, Panel 38 of 480, Map Number 29037C038F, with an Effective Date of January 2, 2013, the surveyed premises lies within Zone X - Areas determined to be outside the 0.2% annual chance floodplain, Zone X - Areas of 0.2% annual chance flood, areas of 1% annual chance flood with average depths less than 1 foot or with drainage areas less than 1 square mile, and areas protected by levees from 1% annual chance flood and Zone AE - Special Flood Hazard Area - Base Flood Elevations Determined. The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard includes Zones A, AE, AH, AO, AR, A99, X, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood. Floodway areas in Zone AE - The floodway is the channel of a stream plus any adjacent areas that must be kept free of encroachment so that the 1% annual chance flood can be mapped without substantial increases in flood heights. Floodplain limits shown hereon are subject to map scale uncertainty.
- Subject Property contains 3,892,181 Square Feet or 89.3522 Acres, more or less.
- The herein described surveyed premises were last conveyed in Warranty Deed in Book 4566, Page 122.
- This survey meets or exceeds the Urban Class Property Accuracy Standard of Closure 1:20,000 as defined by the Department of Insurance, Financial Institutions and Professional Registration, Division 2030, Chapter 16, Title 20 CSR 2030-16-040 - Accuracy Standards for Property Boundary Surveys, Effective June 30, 2017.

**Certification:**  
 I hereby certify that the within Plat of "Raymore Commerce Center, Second Plat", a subdivision, is based on an actual survey made by me or under my direct supervision and that survey meets or exceeds the current "Missouri Standards for Property Boundary Surveys" as established by the Missouri Board for Architects, Professional Engineers and Land Surveyors in Division 2030 - Chapter 16 (20 CSR 2030-16). I further certify that the bearings shown on this plat are based on the State Plane Coordinate System of Missouri, Western Zone of the North American Datum of 1983, that the subdivision corner monuments and Survey Boundary corner monuments were either found or set as indicated on this plat; that the corner lots and street center lines have been marked with permanent monumentation as indicated on this plat; that I have complied with all State and Cass County Statutes, ordinances, and regulations governing the practice of Surveying and the plotting of subdivisions to the best of my professional knowledge and belief.

Area Summary Table

Lot 2	1,199,049 S.F.	27.5264 Ac.
Lot 3	2,556,418 S.F.	58.6873 Ac.
New Dean Avenue R/W #1	35,575 S.F.	0.8167 Ac.
New Dean Avenue R/W #2	101,139 S.F.	2.3218 Ac.
<b>Total</b>	<b>3,892,181 S.F.</b>	<b>89.3522 Ac.</b>

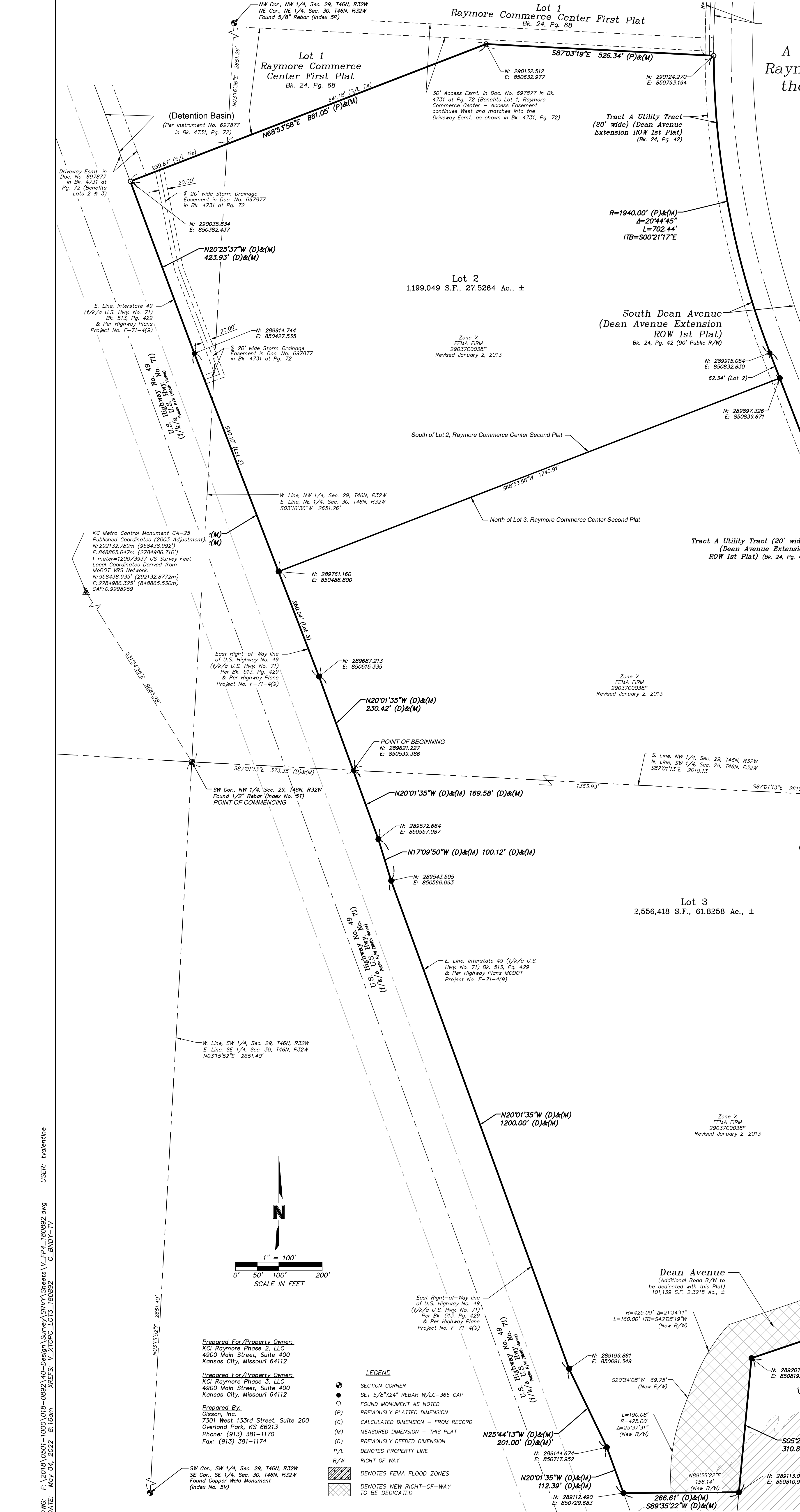
By: Timothy Blair Wiswell, MO PLS No. 200900067  
 Olsson, Inc. LC-366  
 timwiswell@olsson.com

City Council: \_\_\_\_\_  
 Planning and Zoning Commission: \_\_\_\_\_  
 This plat of "Raymore Commerce Center, Second Plat" addition, including easements and rights-of-way accepted by the City Council, has been submitted to and approved by the Raymore City Council by Ordinance No. \_\_\_\_\_ dated \_\_\_\_\_, 2022.

This plat of "Raymore Commerce Center, Second Plat" addition has been submitted to and approved by the Raymore Planning and Zoning Commission this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

(SEAL) Mayor: \_\_\_\_\_  
 City Clerk: \_\_\_\_\_ City Engineer: \_\_\_\_\_  
 Deputy County Recorder of Deeds: \_\_\_\_\_

Entered on transfer record this \_\_\_\_\_ day of \_\_\_\_\_, 2022.



**LEGEND**

- SECTION CORNER
- 2 1/2" x 8" x 24" REBAR W/AL-366 CAP
- FOUND MONUMENT AS NOTED
- PREVIOUSLY PLATED DIMENSION
- CALCULATED DIMENSION - FROM RECORD
- MEASURED DIMENSION - THIS PLAT
- PREVIOUSLY BEZEL DIMENSION
- P/W DENOTES PROPERTY LINE
- R/W RIGHT OF WAY
- Denotes FEMA FLOOD ZONES
- Denotes NEW RIGHT-OF-WAY TO BE DEDICATED

**Prepared For/Property Owner:**  
 KD Raymore Phase 3, LLC  
 4900 Moh Street, Suite 400  
 Kansas City, Missouri 64112

**Prepared For/Property Owner:**  
 KD Raymore Phase 2, LLC  
 4900 Moh Street, Suite 400  
 Kansas City, Missouri 64112

**Prepared By:**  
 Olsson, Inc.  
 2301 West 133rd Street, Suite 200  
 Overland Park, KS 66213  
 Phone: (913) 381-1170  
 Fax: (913) 381-1174

**SW Cor. SW 1/4, Sec. 29, T46N, R32W**  
 SE Cor. SE 1/4, Sec. 30, T46N, R32W  
 Found Copper Nail Monument  
 (Index No. 34)

**East Right-of-Way line of U.S. Highway No. 49 (1/4 U.S. Hwy. No. 71)**  
 (1/4 U.S. Hwy. No. 71)  
 Per Bk. 513, Pg. 429  
 & Per Highway Plans M001  
 Project No. F-71-4(9)

**East Right-of-Way line of U.S. Highway No. 49 (1/4 U.S. Hwy. No. 71)**  
 (1/4 U.S. Hwy. No. 71)  
 Per Bk. 513, Pg. 429  
 & Per Highway Plans M001  
 Project No. F-71-4(9)

**East Right-of-Way line of U.S. Highway No. 49 (1/4 U.S. Hwy. No. 71)**  
 (1/4 U.S. Hwy. No. 71)  
 Per Bk. 513, Pg. 429  
 & Per Highway Plans M001  
 Project No. F-71-4(9)

**East Right-of-Way line of U.S. Highway No. 49 (1/4 U.S. Hwy. No. 71)**  
 (1/4 U.S. Hwy. No. 71)  
 Per Bk. 513, Pg. 429  
 & Per Highway Plans M001  
 Project No. F-71-4(9)

**East Right-of-Way line of U.S. Highway No. 49 (1/4 U.S. Hwy. No. 71)**  
 (1/4 U.S. Hwy. No. 71)  
 Per Bk. 513, Pg. 429  
 & Per Highway Plans M001  
 Project No. F-71-4(9)



## Memorandum

**TO:** Planning and Zoning Commission  
**FROM:** Trent Salsbury, Assistant City Engineer  
**DATE:** 05/10/2022  
**RE:** Final Plat - Raymore Commerce Center Lots 2 and 3

---

The Public Works and Engineering Department has reviewed the Site Plan application for Raymore Commerce Center Lots 2 and 3 and determined that the plans and specifications comply with the standards adopted by the City of Raymore.

Staff recommends approval of this application.



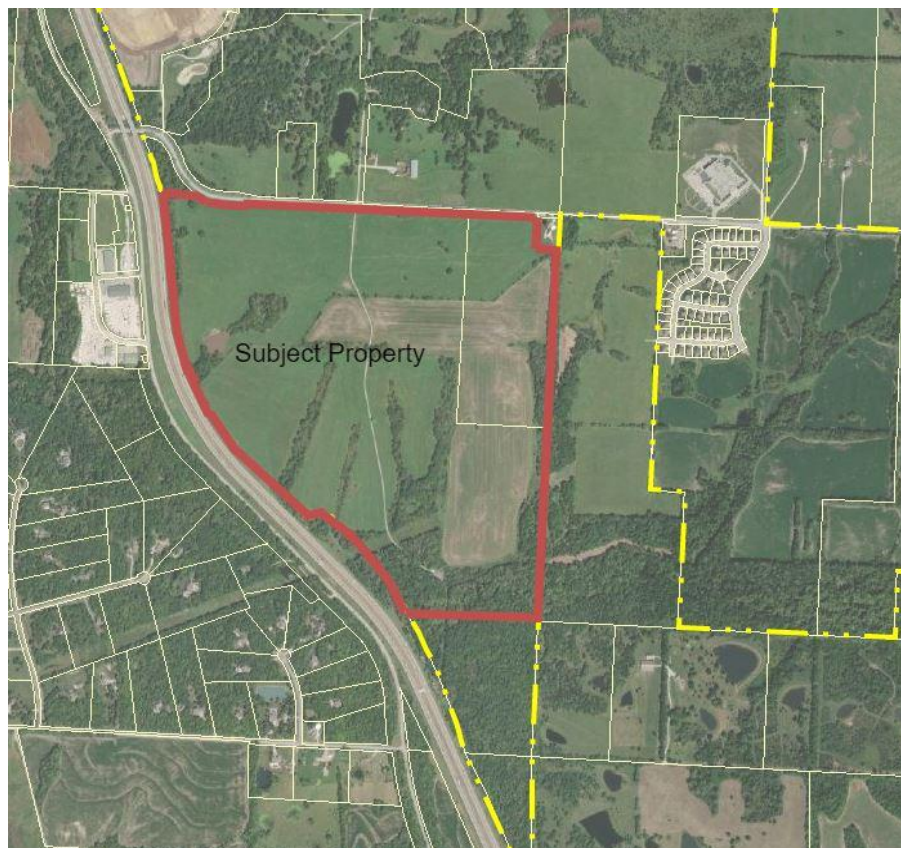
**To:** Planning and Zoning Commission  
**From:** Dylan M. Eppert, City Planner  
**Date:** May 17, 2022  
**Re:** **Case #22012 - Raymore Commerce Center South - PUD**

### **GENERAL INFORMATION**

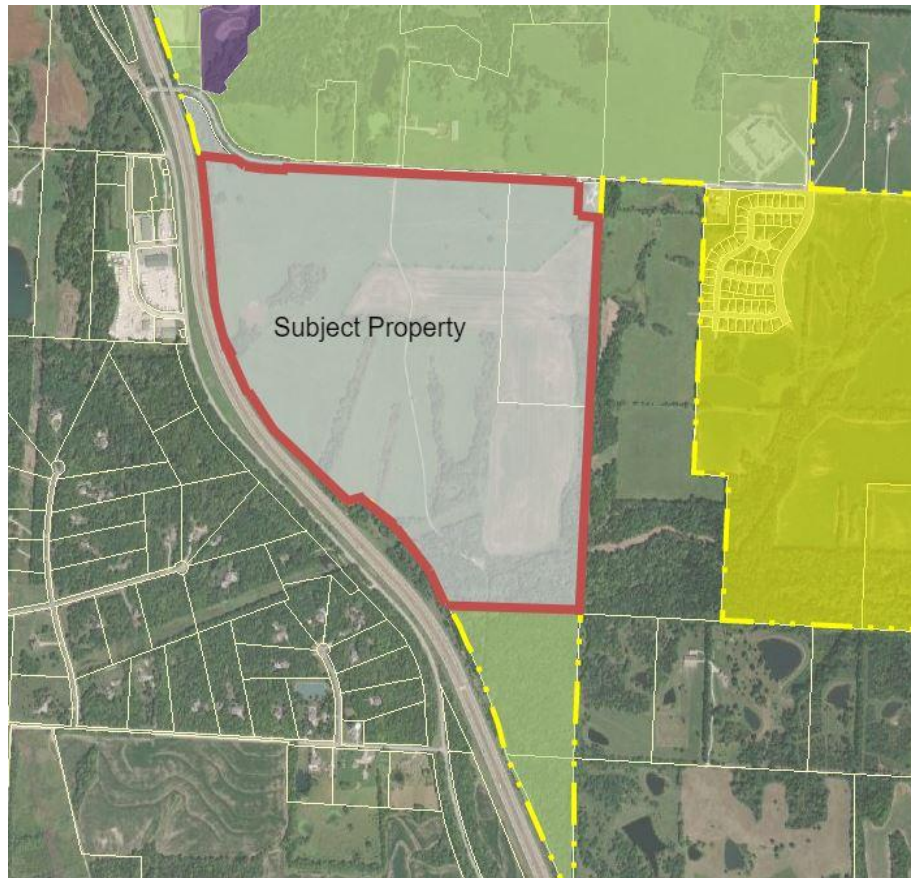
<b>Applicant:</b> VanTrust Real Estate 4900 Main Street Kansas City, MO 64112	<b>Property Owner:</b> Double G Properties, LP 3311 SW Kessler Dr. Lee's Summit, MO 64081
---	---

**Requested Action:** Reclassification of zoning designation from "BP" Business Park to "PUD" Planned Unit Development

**Property Location:** Generally located south of 195th St. and east of I-49



**Existing Zoning:** "BP" Business Park District



**Growth Management Plan:** The Future Land Use Plan Map contained in the Growth Management Plan identifies this property as appropriate for business park.

**Major Street Plan:** The Major Thoroughfare Plan Map contained in the Growth Management Plan has identified 195th St and Dean Avenue as being classified as Minor Arterial Roadways.

**Legal Description:**

TRACT 1:

ALL THAT PART OF SECTION 32 WHICH LIES EAST OF U.S. HIGHWAY NO. 71, EXCEPT THE FOLLOWING TRACT: PART OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 46, RANGE 32, IN CASS COUNTY, MISSOURI, DESCRIBED AS: BEGINNING AT THE NORTHEAST CORNER OF THE SAID QUARTER SECTION AND RUNNING SOUTH 89 DEGREES 41 MINUTES 01 SECONDS WEST, ALONG A LINE BEING 1.0 FEET WEST OF AND PARALLEL TO THE WEST LINE OF THE EXISTING AMOCO 50 FOOT GAS LINE EASEMENT, 2075.99 FEET; THENCE NORTH 89 DEGREES 41 MINUTES 47 SECONDS EAST, PARALLEL TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 32, 857.03 FEET TO A POINT ON THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 32; THENCE NORTH, ALONG THE EAST LINE THEREOF, 2075.51 FEET TO THE POINT OF BEGINNING, ALL IN SECTION 32, TOWNSHIP 46, RANGE 32, IN CASS COUNTY, MISSOURI, EXCEPT THAT PART IN ROADS.

ALSO EXCEPT THAT PART CONVEYED TO D&P REALTY CO. LLC BY INSTRUMENT FILED SEPTEMBER 21, 2011 AS DOCUMENT NO. 484434 DESCRIBED AS FOLLOWS: A TRACT OF LAND IN SECTION 32, TOWNSHIP 46, RANGE 32 AND SECTION 5, TOWNSHIP 45, RANGE 32, IN THE CITY OF RAYMORE, CASS COUNTY, MISSOURI, MORE

PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A 3-1/4 INCH ALUMINUM MONUMENT FOUND AT THE NORTHEAST CORNER OF SAID SECTION 5, STAMPED TO IDENTIFY THE CORNER, IN ACCORDANCE WITH DEPARTMENT OF NATURAL RESOURCES DOCUMENT NUMBER 600-69004; THENCE SOUTH 00 DEGREES 28 MINUTES 48 SECONDS EAST (THIS AND SUBSEQUENT BEARINGS ARE BASED UPON THE MISSOURI STATE PLANE, WEST ZONE, COORDINATE SYSTEM) ALONG THE EASTERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5, 1427.38 FEET TO A 1/2 INCH REINFORCING STEEL BAR WITH A 1 INCH PLASTIC CAP STAMPED "BRENIZER & ASSOC"; HEREINAFTER REFERRED TO A 1/2 INCH RSBC, SET ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 71; THENCE NORTH 23 DEGREES 16 MINUTES 03 SECONDS WEST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 71, 1561.79 FEET TO A 1/2 INCH RSBC SET; THENCE NORTH 11 DEGREES 57 MINUTES 27 SECONDS WEST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 71, 178.48 FEET TO A CHISELED PLUS SET IN THE CONCRETE BASE OF A HIGHWAY RIGHT-OF-WAY MARKER; THENCE NORTH 23 DEGREES 16 MINUTES 03 SECONDS WEST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 71, 690.62 FEET TO A 1/2 INCH RSBC SET; THENCE NORTH 24 DEGREES 42 MINUTES 38 SECONDS WEST ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID U.S. HIGHWAY NO. 71, 662.45 FEET TO A CHISELED PLUS SET IN THE CONCRETE BASE OF A HIGHWAY RIGHT-OF-WAY MARKER; THENCE NORTH 35 DEGREES 58 MINUTES 49 SECOND WEST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 71, 119.64 FEET TO A 1/2 INCH RSBC SET; THENCE SOUTH 81 DEGREES 57 MINUTES 34 SECONDS EAST, 1353.76 FEET TO A 1/2 INCH REINFORCING STEEL BAR WITH A 1 INCH PLASTIC CAP FOUND (FACE OF CAP OBLITERATED) AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 32, THENCE SOUTH 02 DEGREES 31 MINUTES 51 SECONDS WEST ALONG THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 32, 1327.88 FEET TO A 3/8 INCH REINFORCING STEEL BAR FOUND AT THE SOUTHEAST CORNER OF SAID SECTION 32; THENCE NORTH 87 DEGREES 35 MINUTES 28 SECONDS WEST ALONG THE SOUTHERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 32, 19.83 FEET TO THE POINT OF BEGINNING, LESS THAT PART IN ROADS.

**TRACT 2:**

PART OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 46, RANGE 32, IN CASS COUNTY, MISSOURI, DESCRIBED AS: BEGINNING AT THE NORTHEAST CORNER OF THE SAID QUARTER SECTION AND RUNNING SOUTH 89 DEGREES 41 MINUTES 01 SECONDS WEST, ALONG A LINE BEING 1.0 FEET WEST OF AND PARALLEL TO THE WEST LINE OF THE EXISTING AMOCO 50 FOOT GAS LINE EASEMENT, 2075.99 FEET; THENCE NORTH 89 DEGREES 41 MINUTES 47 SECONDS EAST, PARALLEL TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 32, 857.03 FEET TO A POINT ON THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 32; THENCE NORTH, ALONG THE EAST LINE THEREOF, 2075.51 FEET TO THE POINT OF BEGINNING, ALL IN SECTION 32, TOWNSHIP 46, RANGE 32, IN CASS COUNTY, MISSOURI, EXCEPT THAT PART IN ROADS.

THE ABOVE DESCRIPTION HAS BEEN TAKEN FROM AN ALTA COMMITMENT FOR TITLE INSURANCE, ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT/FILE NO.: NCS-1079586-KCTY, DATED JULY 22, 2021.

**Advertisement:** April 28, 2022 **Journal** newspaper  
May 5, 2022 **Journal** newspaper

**Public Hearing:** May 17, 2022 Planning Commission meeting  
May 23, 2022 City Council meeting

**Items of Record:** **Exhibit 1. Mailed Notices to Adjoining Property Owners**  
**Exhibit 2. Notice of Publication**  
**Exhibit 3. Unified Development Code**  
**Exhibit 4. Application**  
**Exhibit 5. Growth Management Plan**  
**Exhibit 6. Staff Report**  
**Exhibit 7. Preliminary Development Plan**  
**Exhibit 8. MOU draft**  
**Additional exhibits as presented during hearing**

## **REQUEST**

Applicant is requesting to reclassify the zoning designation of 262.09 undeveloped acres of land from the current "BP" Business Park District classification to a "PUD" Planned Unit Development District classification.

## **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."

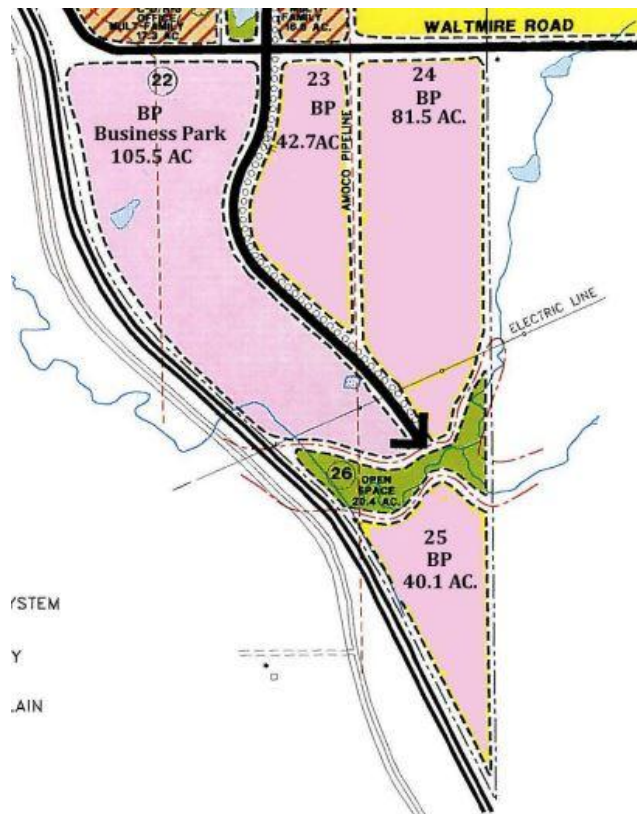
Section 470.010 (E) requires that an informational notice be mailed and "good neighbor" meeting be held.

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 MOU and Master Land Use Plan for the Good Ranch was approved by the City of Raymore on March 16, 1994. The subject property was annexed into the city at the time the MOU and Land Use Plan were approved.
2. The subject property is identified as Tracts 22, 23, and 24 on the Good Ranch Land Use Plan. Tract 22 was originally identified as "C-M" Commercial/Manufacturing, and Tracts 23 and 24 were identified as Single Family.
3. In 2010, the property owner amended the plan to change the designation of Tracts 22, 23 and 24 to a "BP" Business Park Designation.



4. The property was rezoned from "A" Agricultural to "BP" Business Park on January 10, 2011.
5. In October of 2013, Double G Properties (current owner) submitted a request to obtain a Conditional Use Permit (CUP) to allow for Warehousing and Distribution for the entirety of the 260-acre site. The application also included a proposed site plan that showed 29 individual lots that would have been developed in the future (shown below).



6. At their November 19, 2013 meeting, the Planning Commission voted 7-1 to deny the request for a CUP on this property - the main reasoning being that the request would have allowed a "blanket" CUP over all 29 individual lots as a whole, as opposed to addressing CUP requests on a case-by-case basis. Following the recommendation, the applicant withdrew their request.

**GOOD NEIGHBOR INFORMATIONAL MEETING COMMENTS**

A Good Neighbor Informational meeting was held on April 27, 2022. 4 residents attended the meeting, in addition to City staff and representatives from Olsson Associates and VanTrust Real Estate. The meeting is summarized as follows:

**Q: What is the current zoning of the property?**

**A:** The current zoning of the property is "BP" Business Park District but the applicant is looking to rezone the subject property from "BP" Business Park District to "PUD" Planned Unit Development District.

**Comment:** The property owner to the south of the subject property said they moved to the area to be in the country and not the city and that the growth has caught up to them.

**Q: Where will there be green space?**

**A:** There were some displays at the good neighbor meeting and the parts that were colored in green represent the greenspace. This included the areas between each individual building, the landscaping buffers. The southern portion of the property will remain undeveloped as there are some transmission lines and the applicant does not plan to go beyond the transmission lines. Significant vegetation/topography also exists to the south, which prohibits further development of the area. The existing vegetation to the south will remain.

**Q: How will the waste be handled?**

**A:** Sanitary sewer will be public.

**Q: How many employees would this development expect to be able to produce?**

**A:** The answer depends on the tenant that will eventually move to the development if approved but the estimate is around 1500 employees.

**Q: Will these be small businesses?**

**A:** There will be a mixture of businesses to include local, regional and national brands being represented.

**Q: Where will the main access be coming from?**

**A:** The traffic will flow from I-49 to North Cass Parkway, proceeding south along the Dean Avenue extension and finally east on 195th St where there will be three access points to the proposed development. 195th Street and the outer road will also provide an alternative access route to the site via North Cass Parkway.

**Q: Will there be a light at North Cass Parkway and Dean Ave?**

**A:** Yes there will be a light, it is currently in the design and construction phase of the project.

**Q: What is the plan to have a buffer between the property owner to the south?**

**A:** All the area to the south of the transmission lines will be left alone. There is also a sewer lift station and some sanitary easements to contend with which would prevent a lot of the southern portion of the subject property from being developed.

**Q: Would the flood plain area be donated as parkland dedication?**



**A:** The subject property as part of the original Good Ranch MOU would not be subject to parkland dedication requirements as the MOU already shows a dedicated area of parkland to be dedicated to the City at a later time.

**Q: What is the primary market driving these buildings?**

**A:** E-Commerce is the biggest force while being followed by manufacturing and distribution.

**Q: What is driving industrial and multi-family housing?**

**A:** The pandemic has really spurred these kinds of development as the need for housing and supply chain issues became more and more obvious. E-Commerce has become a large factor in these developments.

**Q: What will the applicant do for storm water detention?**

**A:** Most of the drainage will shed to the south and some of it to the north. They are proposing 4 detention ponds to slow the watershed down during flooding events.

**Q: Will there be fences with gates around the detention ponds?**

**A:** The way the detention ponds are designed is that they gradually slope so there will not be a great distance to fall if something were to occur.

**Comment:** Would you want to live next to this industrial area?

**Q: Will there be improvements to 195th St?**

**A:** Yes there will be improvements consisting of some shoulder work. In addition, Dean Ave is planned to be completed as soon as possible (Late fall 2022 or spring of 2023 for the construction to begin). This is needed to provide access to the site for construction of the subject property.

**Q: Will the construction be tilt wall?**

**A:** That is correct, the buildings will be tilt-wall concrete construction. The applicant provided proposed elevations at the meeting.

It was also noted that if the development were to remain zoned as Business Park the buildings could be constructed using metal siding.

City Staff gave the residence in attendance what the next steps would be for this project.

**Comment: The property owners to the south of the development were concerned that Dean Avenue would extend through their property.**

**A:** The original plan for this area was that a road would extend through this property; however, that is not the case with the proposed development. Dean Avenue will terminate at 195th St.

**Q: Why does the applicant want to rezone the property to PUD?**

**A:** The PUD is set up to be flexible and with a project of this magnitude it helps immensely when it comes to getting tenants lined up for the space. The MOU also

drives in large part uses and requirements that must be met by the developer, and provides the assurance that the property will be developed in accordance with the approved Preliminary Plan, while providing the developer flexibility in final building sizes and location based on specific tenant requirements.

**Q: Will the developer use local contractors?**

**A:** Yes, local contractors are currently being used at the Raymore Commerce Center.

**STAFF COMMENTS**

1. The Memorandum of Understanding and Master Land Use Plan for the Good Ranch were approved by the City of Raymore on March 16, 1994. The subject property is identified as Tracts 22, 23, and 24 on the approved Good Ranch Master Land Use Plan, and are identified as appropriate for Business Park development.

2. The "BP" Business Park District is intended to accommodate office, research and development, and limited service, manufacturing and warehousing uses that are located within a campus like setting. Site design will include larger setbacks and increased landscaping and buffering from non-related uses and public rights-of-way.

3. The existing and proposed development standards applicable to the property are as follows:

	BP (Existing)	PUD (Proposed)
<b>Minimum Lot Area</b>		
per lot	1 acre	1 acre
per dwelling unit	-	-
<b>Minimum Lot Width (feet)</b>	100	100
<b>Minimum Lot Depth (feet)</b>	100	100
<b>Yards, Minimum (feet)</b>		
front	30	20
rear	20	20
side	10	10
side, abutting residential district	20	10
<b>Maximum Building Height (feet)</b>	80	80
<b>Maximum Building Coverage (%)</b>	50	50

4. The minimum parking standards for the uses allowed within the existing zoning designation, and the proposed PUD are as follows:

Use	Minimum Parking Spaces Required (Existing)
<b>INDUSTRIAL USES</b>	
Office	1 per 300 square feet
Manufacturing, Production and Industrial Service	1 per 1,000 square feet of non-office floor area plus 1 per 300 square feet of office area
Trucking/Freight Terminal	1 per 1,000 square feet
Warehousing and Wholesaling	1 per 1,000 square feet

The Developer is proposing a parking ratio requirement of:

Use	Minimum Parking Spaces Required (Proposed)
<b>INDUSTRIAL USES</b>	
Light Industrial with Office Space	1 per 2,500 square feet

Staff believes the proposed parking ratio is consistent with other similar developments. Oftentimes, tenants will have specific parking requirements that will exceed the proposed minimum requirements, and can be added to the site where required. Because some of these buildings could be constructed prior to securing a tenant, this prevents excessive parking spaces from being constructed based solely on the size of the building shell. The PUD offers flexibility to add additional parking spaces based upon a potential tenant's specific needs.

5. Permitted and Conditional uses identified as allowable within the PUD are as follows:

Use	BP (Existing)	PUD (Proposed)
<b>INDUSTRIAL USES</b>		
<b>Manufacturing, Production and Industrial Service</b>		
Limited	P	P
General	-	C
Intensive	-	-
<b>Research Laboratory</b>	P	P
<b>Trucking/Freight Terminal</b>	C	C
<b>Warehousing and Wholesaling</b>	C	P
<b>Waste-related Use</b>		
Junkyard	-	-
Recycling Facility	C	-

Sanitary Landfill	-	-
<b>OTHER USES</b>		
Accessory Parking	P	P

The addition of "Warehousing and Wholesaling as a "P" Permitted use within the PUD, rather than a "C" Conditional use as under the BP zoning is the primary proposed change.

6. The reclassification of zoning to PUD requires a Memorandum of Understanding (MOU) be prepared that outlines the expectations from the applicant, property owner and City regarding the project.

7. The principal purpose of the reclassification of the zoning request is to allow the applicant flexibility in the development of the site. The proposed MOU will allow City staff flexibility in approving amendments to the approved site plan for the development. This enables the applicant to rearrange building location; adjust building sizes; and modify the site layout provided any change remains fully compliant with the requirements of the Unified Development Code, and the approved Preliminary Development Plan.

8. The zoning and land use of the subject property remains consistent with the land use identified as part of the Good Ranch Master Plan approved in 1994.

9. North Cass Parkway and Dean have all been designed and constructed to handle the traffic generated by development within this area. The developer is also proposing the extension of Dean Avenue from its current terminus, south to connect to 195th Street to provide access to this site. An alignment study and preliminary design have been completed as part of this PUD request.

10. A geomorphic assessment of the stream corridor was completed by the property owner. The assessment identified enhancements that can be made within the stream corridor to minimize any impact development on the property will have on the stream.

12. A request to reclassify the zoning of a property to a PUD designation includes the requirement that a preliminary plan be submitted. If the rezoning is approved, the preliminary plan is also approved and serves as the preliminary plat for the development. With PUD rezoning approval, the applicant can proceed with submitting a final plat application.

13. Under the current "BP" zoning, the minimum design standards as defined by Section 440.010 would apply for the property. This would include the use of metal and roofing. The proposed PUD offers the flexibility as described under comment #7 above, but also ties the proposed buildings to

comply with the proposed elevations and designs that were submitted with the PUD request, which consists of concrete tilt-wall construction.

## **PLANNING COMMISSION PROPOSED FINDINGS OF FACT**

Under Section 470.050 of the Unified Development Code, the Planning and Zoning Commission and City Council is directed concerning its actions in dealing with a PUD request. Under 470.050 (F) the Planning and Zoning Commission and City Council is directed to make findings of fact taking into consideration the following:

- 1. the preliminary development plan's consistency with the Growth Management Plan and all other adopted plans and policies of the City;** The proposed preliminary development plan is consistent with the Growth Management Plan and all other adopted plans and policies.
- 2. the preliminary development plan's consistency with the PUD standards of Section 415.060, including the statement of purpose;** The proposed preliminary development plan is consistent with the standards for a Planned Unit Development. The purpose of the proposed PUD and development plan is to provide flexibility in the design, location, orientation and phasing of the proposed development in order to meet the needs of the developer, applicant, and future tenants of the building, while ensuring the development remains consistent with the requirements of the Unified Development Code.
- 3. the nature and extent of common open space in the PUD;** Common space has been provided as part of the development. Detention basins, landscaping buffers, and existing vegetation also provides a large amount of open space. A significant portion of the southern portion of the property is also heavily wooded, and will remain undeveloped as part of this proposal.
- 4. the reliability of the proposals for maintenance and conservation of common open space;** The provided open spaces will require a stormwater maintenance agreement, which will involve requirements for perpetual maintenance. Additionally, the developer will maintain responsibility for maintenance of parking lot landscaping and landscape islands.
- 5. the adequacy or inadequacy of the amount and function of common open space in terms of the densities and dwelling types proposed in the plan;** Because the proposed PUD is not residential in nature, but rather industrial, the amount and function of the provided common open space has been deemed to be adequate.
- 6. whether the preliminary development plan makes adequate provision for public services, provides adequate control over vehicular traffic, and furthers the amenities of light and air, recreation and visual enjoyment;** The preliminary development plan does provide public services, adequate control over vehicular traffic, and furthers the amenities of light and air, recreation and visual enjoyment. The proposed plan adequately separates vehicular and truck traffic, as well as pedestrian traffic. There will also be signage that will be

required to direct truck traffic in and out of the proposed development. Landscaping buffers have been added to mitigate air pollution from trucks and passenger vehicles, and to soften the visual impact of the large buildings from the roadway.

7. **whether the preliminary development plan will have a substantially adverse effect on adjacent property and the development or conservation of the neighborhood area;** The proposed development plan will not have an adverse effect on the adjacent properties. The subject property is approximately 470' to the nearest house, while most houses are approximately 1500' from the subject property. There is also significant amount of screening and vegetation that will be preserved, and/or installed as part of this development.

Traffic will likely increase near the subject property as the site develops. However, with Dean Ave being extended south to connect with 195th St, the North Cass Interchange was designed and built to handle the type and amount of traffic that this proposed development will generate. 195th Street will be improved with the addition of wider shoulders and turn lanes where required.

8. **whether potential adverse impacts have been mitigated to the maximum practical extent;** The potential adverse impacts on surrounding properties have been mitigated to the maximum practical extent. Existing screening has been preserved to the greatest extent based upon the proposed layout, and landscape buffers have been added throughout the proposed development to mitigate the visual impact of adjacent properties to the best extent possible.

Additionally, a traffic memo was completed that will address the timing, type and placement of traffic control devices to coordinate the movement of traffic throughout the site.

9. **whether the preliminary development plan represents such a unique development proposal that it could not have accomplished through the use of (non-PUD) conventional Unified Development Code;** The proposed preliminary development plan does represent a unique development proposal that could not have been accomplished through the use of conventional zoning.

Because of the proposed size and flexibility of the proposed buildings, it is uncertain what size and type of building a potential tenant would require. The proposed PUD affords the flexibility to phase the development, or shift the location of the buildings as needed, so long as they are compliant with all other provisions of the UDC, and the Bulk and Dimensional, and Use Standards approved as part of the Preliminary Development Plan.

10. **the sufficiency of the terms and conditions proposed to protect the interest of the public and the residents of the PUD in the case of a plan that proposes development over a period of years.** The proposed project is intended to be phased over a period of time, and is being approved without a

defined phasing schedule. The submission of a Final Plat application shall prompt the beginning of each individual phase for the project. The Memorandum of Understanding for the proposed project includes language regarding the phasing of the project:

If the initial final plat does not include all of the land contained within the Preliminary Development Plan, then a subsequent final plat application shall be filed every five years from the date that the most recent final plat was approved or the Preliminary Development Plan becomes null and void.

The terms and conditions proposed to protect the interest of the public have been deemed to be sufficient.

## **REVIEW OF INFORMATION AND SCHEDULE**

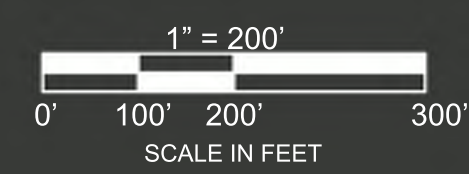
<u>Action</u>	<u>Planning Commission</u>	<u>City Council 1<sup>st</sup></u>	<u>City Council 2<sup>nd</sup></u>
Public Hearing	May 17, 2022	May 23, 2022	June 13, 2022

## **STAFF RECOMMENDATION**

The subject property is an ideal location for the development of a business park, and has been planned as such, as part of the Good Ranch MOU and Land Use Plan. The proximity of I-49 provides excellent visibility of the property from the highway, as well as proximity to the North Cass Parkway interchange. The proposed Dean Ave extension will provide the connection from 195th to North Cass Pkwy and provide adequate and logical access and circulation to the property, with necessary improvements being made to the transportation and utility network.

The subject property is appropriate for business park style development, and staff feels the proposed PUD zoning is the best way to facilitate the proposed development.

City Staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case #22012, reclassification of zoning of 262.09 acres located south of 195th St. and east of Interstate 49 interchange, from "BP" Business Park District to "PUD" Planned Unit Development District, to the City Council with a recommendation for approval.









8601 Bremer Blvd, Ste. 300  
Leviada, MO 65219  
Phone: 636.968.9600  
www.gbam.com

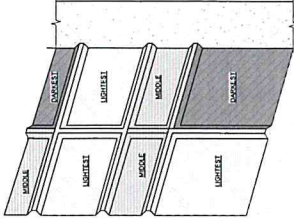
RAYMORE, MOSS COUNTY, MISSOURI  
1200 SOUTH DEAN AVENUE  
64133

RAYMORE COMMERCE CENTER BUILDING 2

REV.	DATE	DESCRIPTION

PROJECT NUMBER: 151604R  
DATE: 3/29/2017  
PROJECT: PHASE 1 PT 1  
DRAWN: GSA  
CHECKED: GSA  
REVIEWED: MND  
SHEET TITLE: EXTERIOR ELEVATIONS

SHEET NUMBER: **A3.02**  
© George Bahr Architects, Inc. 2015  
Raymore, MO 64133  
Lynn University, Ltd. 2016

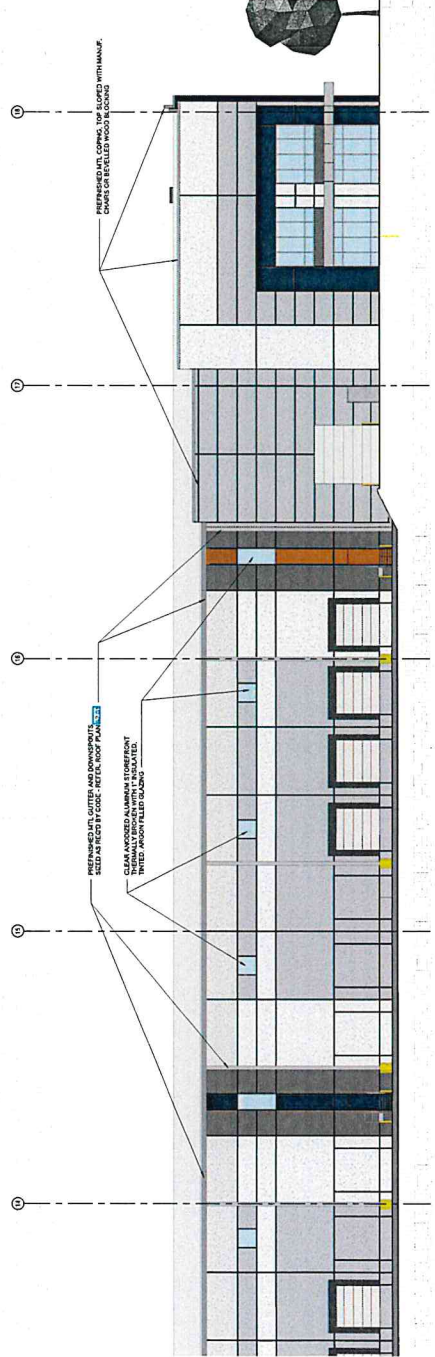


SEE REVISIONS FOR  
MULTI-PANEL TILT-UP  
FOR REPAIR LOCATIONS.

TYP. TILT-UP PAINT / CAULK ORDER

- WALL COLOR LEGEND**
- FAINT COLOR (BY 2002 PAPER WHITE)
  - MEDIUM COLOR (BY 2002 PAPER WHITE)
  - ACCENT COLOR "A1"
  - ACCENT COLOR "B1"
  - ACCENT COLOR "W1"
  - ACCENT COLOR "W2"

- LEGEND: MATERIALS/DETAILS**
- PA - PANEL JOINT
  - L - LAP JOINT, SEE PLAN SECTION
  - W - WOOD JOINT
  - H - HANG-OUT PANEL



SOUTHWEST CORNER  
SCALE: 1/8" = 1'-0"



## Memorandum

**TO:** Planning and Zoning Commission  
**FROM:** Trent Salsbury, Assistant City Engineer  
**DATE:** 05/10/2022  
**RE:** Final Plat - Raymore Commerce Center South PUD

---

The Public Works and Engineering Department has reviewed the Site Plan application for Raymore Commerce Center South PUD and determined that the plans and specifications comply with the standards adopted by the City of Raymore.

Staff recommends approval of this application.



***Memorandum of Understanding***

***for***

***Raymore Commerce Center South***

Legal Description Contained on Pages 2-4

**Between VTRE Development, LLC, Developer,**

**and**

**City of Raymore, Grantee**

**100 Municipal Circle**

**Raymore, MO 64083**

***June 13, 2022***

## **MEMORANDUM OF UNDERSTANDING**

### *Raymore Commerce Center South*

THIS MEMORANDUM OF UNDERSTANDING (“MOU”) AND PRELIMINARY DEVELOPMENT PLAN FOR THE DEVELOPMENT OF THE RAYMORE COMMERCE CENTER SOUTH PLANNED UNIT DEVELOPMENT SUBDIVISION is made and entered into this 13th day of June, 2022, by and between VTRE Development, LLC, or assigns (“Developer”) and the City of Raymore, Missouri, a Municipal Corporation and Charter City under the laws of the State of Missouri (“Grantee” or “City”).

WHEREAS, Developer seeks to obtain approval from the City for a subdivision to be known as Raymore Commerce Center South, which is in the City of Raymore, Cass County, Missouri, and;

WHEREAS, Developer agrees to assume all subdivision development obligations as described in this agreement; and,

WHEREAS, the City desires to ensure that the Developer will accomplish certain things in order to protect the public health, safety and welfare.

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

#### **GEOGRAPHIC LOCATION:**

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

##### **TRACT 1:**

ALL THAT PART OF SECTION 32 WHICH LIES EAST OF U.S. HIGHWAY NO. 71, EXCEPT THE FOLLOWING TRACT: PART OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 46, RANGE 32, IN CASS COUNTY, MISSOURI, DESCRIBED AS: BEGINNING AT THE NORTHEAST CORNER OF THE SAID QUARTER SECTION AND RUNNING SOUTH 89 DEGREES 41 MINUTES 01 SECONDS WEST, ALONG A LINE BEING 1.0 FEET WEST OF AND PARALLEL TO THE WEST LINE OF THE EXISTING AMOCO 50 FOOT GAS LINE EASEMENT, 2075.99 FEET; THENCE NORTH 89 DEGREES 41 MINUTES 47 SECONDS EAST, PARALLEL TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 32, 857.03 FEET TO A POINT ON THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 32; THENCE NORTH, ALONG THE EAST LINE THEREOF, 2075.51 FEET TO THE POINT OF BEGINNING, ALL IN SECTION 32, TOWNSHIP 46, RANGE 32, IN CASS COUNTY, MISSOURI, EXCEPT THAT PART IN ROADS.

ALSO EXCEPT THAT PART CONVEYED TO D&P REALTY CO. LLC BY INSTRUMENT FILED SEPTEMBER 21, 2011 AS DOCUMENT NO. 484434 DESCRIBED AS FOLLOWS: A TRACT OF LAND IN SECTION 32, TOWNSHIP 46, RANGE 32 AND SECTION 5, TOWNSHIP 45, RANGE

*Raymore Commerce Center South  
Memorandum of Understanding*

32, IN THE CITY OF RAYMORE, CASS COUNTY, MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A 3-1/4 INCH ALUMINUM MONUMENT FOUND AT THE NORTHEAST CORNER OF SAID SECTION 5, STAMPED TO IDENTIFY THE CORNER, IN ACCORDANCE WITH DEPARTMENT OF NATURAL RESOURCES DOCUMENT NUMBER 600-69004; THENCE SOUTH 00 DEGREES 28 MINUTES 48 SECONDS EAST (THIS AND SUBSEQUENT BEARINGS ARE BASED UPON THE MISSOURI STATE PLANE, WEST ZONE, COORDINATE SYSTEM) ALONG THE EASTERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 5, 1427.38 FEET TO A 1/2 INCH REINFORCING STEEL BAR WITH A 1 INCH PLASTIC CAP STAMPED "BRENIZER & ASSOC"; HEREINAFTER REFERRED TO A 1/2 INCH RSBC, SET ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 71; THENCE NORTH 23 DEGREES 16 MINUTES 03 SECONDS WEST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 71, 1561.79 FEET TO A 1/2 INCH RSBC SET; THENCE NORTH 11 DEGREES 57 MINUTES 27 SECONDS WEST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 71, 178.48 FEET TO A CHISELED PLUS SET IN THE CONCRETE BASE

OF A HIGHWAY RIGHT-OF-WAY MARKER; THENCE NORTH 23 DEGREES 16 MINUTES 03 SECONDS WEST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 71, 690.62 FEET TO A 1/2 INCH RSBC SET; THENCE NORTH 24 DEGREES 42 MINUTES 38 SECONDS WEST ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID U.S. HIGHWAY NO. 71, 662.45 FEET TO A CHISELED PLUS SET IN THE CONCRETE BASE OF A HIGHWAY RIGHT-OF-WAY

MARKER; THENCE NORTH 35 DEGREES 58 MINUTES 49 SECOND WEST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 71, 119.64 FEET TO A 1/2 INCH RSBC SET; THENCE SOUTH 81 DEGREES 57 MINUTES 34 SECONDS EAST, 1353.76 FEET TO A 1/2 INCH REINFORCING STEEL BAR WITH A 1 INCH PLASTIC CAP FOUND (FACE OF CAP OBLITERATED) AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 32, THENCE SOUTH 02 DEGREES 31 MINUTES 51 SECONDS WEST ALONG THE EASTERLY LINE OF THE

SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 32, 1327.88 FEET TO A 3/8 INCH REINFORCING STEEL BAR FOUND AT THE SOUTHEAST CORNER OF SAID SECTION 32; THENCE NORTH 87 DEGREES 35 MINUTES 28 SECONDS WEST ALONG THE SOUTHERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 32, 19.83 FEET TO THE POINT OF BEGINNING, LESS THAT PART IN ROADS.

**TRACT 2:**

PART OF THE NORTHEAST QUARTER OF SECTION 32, TOWNSHIP 46, RANGE 32, IN CASS COUNTY, MISSOURI, DESCRIBED AS: BEGINNING AT THE NORTHEAST CORNER OF THE SAID QUARTER SECTION AND RUNNING SOUTH 89 DEGREES 41 MINUTES 01 SECONDS WEST, ALONG A LINE BEING 1.0 FEET WEST OF AND PARALLEL TO THE WEST LINE OF THE EXISTING AMOCO 50 FOOT GAS LINE EASEMENT, 2075.99 FEET; THENCE NORTH 89 DEGREES 41 MINUTES 47 SECONDS EAST, PARALLEL TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 32, 857.03 FEET TO A POINT ON THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 32; THENCE NORTH, ALONG THE EAST LINE THEREOF, 2075.51 FEET TO THE POINT OF BEGINNING, ALL IN SECTION 32, TOWNSHIP 46, RANGE 32, IN CASS COUNTY, MISSOURI, EXCEPT THAT PART IN ROADS.

THE ABOVE DESCRIPTION HAS BEEN TAKEN FROM AN ALTA COMMITMENT FOR TITLE INSURANCE, ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT/FILE NO.: NCS-1079586-KCTY, DATED JULY 22, 2021.

**PRELIMINARY DEVELOPMENT PLAN**

1. Developer intends to develop the entire property as a Master Planned Light Industrial Park in the manner shown on the PUD Preliminary Development Plan, attached and incorporated herein as Exhibit A.

**2. Zoning and Land Use**

a. The zoning for the entire Property shall be “PUD” Planned Unit Development District.

b. Land Use

i. Permitted and Conditional uses identified as allowable within the PUD are as follows:

Use	PUD
<b>INDUSTRIAL USES</b>	
<b>Manufacturing, Production and Industrial Service</b>	
Limited	P
General	C
Intensive	-
<b>Research Laboratory</b>	P
<b>Trucking/Freight Terminal</b>	C
<b>Warehousing and Wholesaling</b>	P
<b>Waste-related Use</b>	
Junkyard	-
Recycling Facility	-
Sanitary Landfill	-
<b>ACCESSORY USES</b>	
Accessory Parking	P

ii. Uses designated as permitted (“P”) shall be permitted on all lots, subject to compliance with any special conditions.

iii. Uses designated as conditional (“C”) shall only be permitted upon approval of a Conditional Use Permit, subject to compliance with any special conditions.



### 3. Bulk and Dimensional Standards Table:

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

Minimum Lot Area	1 acre
Minimum Lot Width	100 feet
Minimum Lot Depth	100 feet
Minimum Front Yard	20 feet
Minimum Rear Yard	20 feet
Minimum Side Yard	10 feet
Maximum Building Height	80 feet

The following bulk and dimensional standards are calculated for the entire development, not on a lot-by-lot basis.

Minimum Landscaped Area	20%
Maximum Building Coverage	50%

Developer has flexibility to adjust building square footage, building orientation, access points onto 195th Street and other elements of the approved site plan subject to approval by City Staff of an amended site plan.

### 4. Outdoor Storage

- a. Accessory parking and storage of tractor-trailers shall be permitted on-site as outlined in the Preliminary Development Plan. Outdoor storage areas shall be screened appropriately in accordance with Section 430 of the Unified Development Code.
- b. Location of any outdoor storage of materials or products is only allowed upon approval from City Staff.

**5. Landscaping & Screening**

- a. Landscaped areas with a minimum width of six feet (6') shall be provided along all street frontages.
- b. No details as to plant location, type or size is required as part of the Preliminary Development Plan or site plan.
- c. A landscape plan compliant with Chapter 430 of the Unified Development Code, identifying details described in subsection b above, shall be submitted with building construction plans.
- d. All required landscaping shall be installed prior to the issuance of any certificate of occupancy for the applicable building.

**6. Parkland Dedication**

A parkland dedication fee equal to \$0.017 per square foot of land included in a final plat shall be paid prior to the recording of a final plat.

**7. Site Lighting**

A site lighting plan compliant with the Unified Development Code shall be submitted with building construction plans for each individual lot. All light fixtures shall be installed and operational prior to the issuance of any certificate of occupancy for the applicable building.

**8. Parking**

Off-street Parking shall be provided for each building as follows:

Use	Minimum Parking Spaces Required
Light Industrial with Office Space	1 space per 2,500 square feet

- a. Required parking spaces shall be provided on the same lot as the use to which the parking serves.
- b. A reduction of up to 10 percent of the total parking requirement for a lot may be approved by staff where shared parking among businesses on different lots is provided by written agreement between the affected businesses and submitted to the City.

- c. Required parking spaces may be constructed as needed for each use occupying a building. The minimum parking spaces shall be provided as each use occupies the building.
- d. Parking for a building may be constructed in phases provided the required parking spaces are provided for each use identified in a building.
- e. The City may allow reductions in the number of required parking spaces to be installed under one of more of the following circumstances:
  - 1. The unique circumstances of the proposed use are such that it will generate a need for less parking than the ordinance standard; or
  - 2. All requests for reductions in the amount of required parking to be installed shall be accompanied by a plan showing where the total required parking spaces can be added on the lot, if necessary, up to the total amount required, without requiring a variance.

## **9. Trash and Recycling Services**

The use of trash compactors located within the truck court areas is allowed. If independent, free-standing trash and recycling containers and equipment are located within the vehicle parking areas the containers shall be screened in accordance with Section 430.110 of the Unified Development Code.

## **10. Security Fencing and Screening**

The use of fencing shall be allowable on all lots for purposes of security. Fences shall be limited to vinyl-coats chain-link fencing, and shall not exceed eight-feet (8') in height without prior approval from City Staff.

## **PHASING SCHEDULE**

- 1. The Preliminary Development Plan is being approved without a defined phasing plan.
- 2. The Preliminary Development Plan does not expire.

3. The Developer may construct the development in phases.
4. Phasing is not required to be sequential in any specific direction on the property.

### **FINAL PLATS**

1. Developer may submit final plats and associated construction drawings to the City in phases.
2. Each final plat must comply with the bulk and dimensional standards included in this MOU.
3. Final plats shall be submitted in accordance with the Unified Development Code.

### **SITE PLANS**

1. The Preliminary Development Plan serves at the preliminary site plan for the entire development and was approved by the Planning and Zoning Commission on *(tentative until Planning Commission approval is fully achieved)*
2. Submittal of a final plat and final building plans shall constitute the submittal of a final site plan for each individual Lot. Such submittals shall be subject to staff review and approval based upon the compliance with all requirements as outlined in the Preliminary Development Plan.
2. City staff is hereby granted authority to review and approve any amendment to the approved site plan if all of the requirements of the Unified Development Code and any other applicable City requirement are met.
3. Any decision made by staff regarding an amendment to the approved site plan may be appealed to the Planning and Zoning Commission.

## **TRANSPORTATION IMPROVEMENTS**

### **1. Road Improvements**

Access to the Raymore Commerce South development is being provided for via 195th Street, and the extension of Dean Avenue South. The parties agree that the following road improvements are necessary and shall be constructed by the Developer as outlined below.

#### **a. Dean Avenue South Extension**

- i. Dean Avenue shall be constructed from its current terminus north of the subject property south to intersect with 195th Street in accordance with the recommendations of the Dean Avenue Alignment Study, prepared by Olsson.
- ii. The Dean Avenue South Extension shall be constructed prior to the full build-out and occupancy of approximately 50% of the total site.
- iii. Dean Avenue shall be constructed as a collector road. Right-of-way width and pavement width shall be determined as part of City staff review of road construction plans.
- iv. Right-of-Way for the Dean Avenue South Extension is being provided for in part by a platting of Raymore Commerce Center 2nd Plat. Additional right-of-way may need to be obtained to facilitate the extension of the roadway. Right-of-way acquisition from private land owners shall be the responsibility of the Developer. The City shall dedicate necessary right-of-way from relevant City-owned property.

#### **b. 195th Street**

- i. 195th Street shall be constructed in accordance with the recommendations outlined in the Raymore Commerce Center South Traffic Review Dated April 14th, 2022 prepared by Olsson.

#### **c. Access Road to Owen-Good Lift Station**

- i. Upon the future extension of Dean Avenue by the Developer, an access easement, or drive-way shall be constructed by the Developer to provide and maintain access from the Dean Avenue to the City of Raymore Owen-Good lift station.

#### **d. Access Road to Whitetail Lift Station**

- i. When the easternmost public road, Commerce Drive, is extended to its southern terminus as part of this development, an access easement shall be provided by the Developer to allow the City to construct a gravel road no wider than eighteen feet to provide access from the cul-de-sac on Commerce Drive, south to the City of Raymore Whitetail Run lift station.

## **2. Pedestrian Improvements**

- a. A five-foot (5') sidewalk is required along the west side of Dean Avenue at the time the improvements to the Dean Avenue South Extension are constructed.
- b. A five-foot (5') sidewalk is required along the south side of 195th Street at the time a building on the adjacent lot(s) to the south of 195th Street is constructed.
- c. A five-foot (5') sidewalk is required along Commerce Drive at the time a building is constructed on Lots 2, 3, 4, 5 and/or 6.

## **SANITARY SEWER IMPROVEMENTS**

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

6. City warrants that the existing Whitetail Run lift station is able to serve the proposed development.

### **WATER MAIN IMPROVEMENTS**

1. The development is located within the territorial area of the Cass County Public Water Supply District #10 and shall be served by the district.
2. All improvements to the water service system shall comply with the requirements of the Water District and with the requirements of the South Metro Fire Protection District.

### **STORMWATER IMPROVEMENTS**

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

### **STREAM ASSESSMENT**

1. The Good Ranch Master Development Agreement, dated October 14, 2014, is applicable to the development.
2. A Geomorphic Assessment was completed by Terra Technologies in October of 2018 for the Good Ranch Development. The assessment identified stream enhancements or other improvements necessary to minimize or eliminate current and anticipated geomorphic deficiencies.

3. Where a stream is crossed with a roadway, sanitary sewer line, or water line, or if a stormwater outlet structure is installed in or near the stream channel as part of the subdivision, grade control structures are to be utilized. The Developer shall include Plan details for the grade control structure as part of the public improvement construction plans for each phase of the development.

## **INDUSTRIAL BUILDING STANDARDS**

1. The design and appearance of buildings shall conform to the proposed elevations, attached and incorporated herein as Exhibit B.
2. The following building and design standards shall apply to the development:

- a. **Exterior Building Materials**

Primary building materials shall be consistent among the buildings in the development and consist of materials such as stucco, stone, concrete tilt walls and brick.

- b. **Color**

A unified color scheme shall be established to tie building elements together, relate separate (freestanding) buildings, and enhance architectural form.

- c. **Building Form**

- i. Both vertical and horizontal articulation shall be used to break up building form.
- ii. Design features such as articulated bases, columns, pilasters, and arches shall be used to articulate building facades.
- iii. Buildings shall incorporate variations in parapet height.
- iv. Architectural treatments and materials shall be uniform on all four sides of the building. Variation in the sides of the building containing dock doors is allowed.



d. **Architectural Features**

- i. Architectural features such as canopies and awnings shall be used to enhance building entrances.
- ii. Windows shall be incorporated into front and side building elevations where office areas are provided.

**SIGNAGE**

1. Subdivision entrance markers are permitted for the development along 195th Street. A sign easement shall be provided for each proposed sign. Signs shall be in compliance with Chapter 435 of the Unified Development Code.
2. Building signs identifying tenants are permitted in accordance with Chapter 435 of the Unified Development Code.

**INSTALLATION AND MAINTENANCE OF PUBLIC IMPROVEMENTS**

1. Before the installation of any improvements or the issuance of building permits for a Platted Area, Developer shall have all engineering plans approved by the City.
2. Prior to the issuance of any Certificate of Occupancy, Developer shall install all public improvements as shown on approved engineering plans of said platted areas.
3. Developer shall be responsible for the installation and maintenance of all improvements as shown on the approved engineering plans of the subdivision for a period of two years after acceptance by the City, in accordance with the City specifications and policies. Said plans shall be on file with the City and shall reflect the development of said subdivision. Said plans shall include but are not exclusive to sanitary sewer system, storm drainage system and channel improvements, erosion control, MBF elevations and water distribution systems.

**FEES, BONDS AND INSURANCE**

1. Developer agrees to pay to the City, a one percent (1%) Plan Review Fee and five percent (5%) Construction Inspection Fee based on the contract development costs of all public improvements as shown on approved engineering plans of said subdivision. The City Engineer

shall review and determine the reasonableness of all costs, as presented.

2. Developer agrees to pay the cost of providing streetlights in accordance with the approved streetlight plan. Once streetlights are accepted by the City as part of infrastructure acceptance the City will assume maintenance responsibility for the lights.
3. Developer agrees to pay to the City, a \$9 per acre fee for the placement and maintenance of outdoor warning sirens.

### **GENERAL PROVISIONS**

1. The parties agree that execution of this agreement in no way constitutes a waiver of any requirements of applicable City ordinances with which Developer must comply and does not in any way constitute prior approval of any future proposal for development.
2. The covenants contained herein shall run with the land described in this agreement and shall be binding and inure to the benefit of the parties hereto and their successors or assigns and on any future and subsequent purchasers of the property.
3. This agreement shall constitute the entire agreement between the parties and any modification hereof shall be in writing, subject to the approval of the parties.
4. If, at any time, any part hereof has been breached by the Developer the City may withhold approval of any or all building permits, or suspend or revoke any issued permits, applied for in the development, until the breach or breaches has or have been cured to the satisfaction of the City.
5. This agreement shall be recorded by the City and its covenants shall run with the land and shall bind the parties, their successors and assigns, in interest and title.
6. Any provision of this agreement which is not enforceable according to law will be severed heretofore and the remaining provisions shall be enforced to the fullest extent permitted by law. The terms of this agreement shall be construed and interpreted according to the laws of the State of Missouri. Venue for any dispute arising from, or interpretation of this agreement shall be in the Circuit Court of Cass County, Missouri.

7. The undersigned represent that they each have the authority and capacity from the respective parties to execute this Agreement. This Agreement shall not be effective until approved by ordinance duly enacted by the City Council of the City of Raymore, Missouri.
8. In the event this agreement is assigned, VTRE Development, LLC shall be released from any further obligations set forth herein accruing from the date of such assignment. VTRE Development, LLC shall notify City of any such assignment including presentation of the assumption of obligation instrument within ten (10) days of closing on such assignment. At all times, without the consent of the City, VTRE Development, LLC may collaterally assign this agreement to lenders providing financing for the project.
9. Whenever in this agreement it shall be required or permitted that notice or demand be given or served by either party to this agreement to or on the other party, such notice or demand shall be delivered personally or mailed by certified United States mail (return receipt requested) to the addresses hereinafter set forth. Such notice or demand shall be deemed timely given when delivered personally or when deposited in the mail in accordance with the above.

If to the City, at:

City Manager  
100 Municipal Circle  
Raymore, MO 64083

If to VTRE Development, LLC at:

VanTrust Real Estate, LLC.  
4900 Main Street, Suite 400  
Kansas City, MO 64112

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

(SEAL)

THE CITY OF RAYMORE, MISSOURI

\_\_\_\_\_  
Jim Feuerborn, City Manager

Attest:

\_\_\_\_\_  
Erica Hill, City Clerk

\_\_\_\_\_  
Developer – Signature

\_\_\_\_\_  
Printed Name

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

Stamp:

Notary Public: \_\_\_\_\_ My Commission Expires: \_\_\_\_\_

DRAFT