

RAYMORE PLANNING AND ZONING COMMISSION AGENDA

Tuesday, November 7, 2023 - 6:00 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
5. Consent Agenda
 - a. Approval of Minutes from the October 17, 2023 meeting
6. Unfinished Business - None
7. New Business -
 - a. Election of Officers
 - c. Case # 23042 108 N. Madison St. - Conditional Use Permit (*Public Hearing*)
 - d. Case # 23044 Saddlebrook 1st Plat - Final Plat
8. City Council Report
9. Staff Report
10. Public Comment
11. Commission Member Comment
12. Adjournment

Meeting Procedures

The following rules of conduct apply:

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

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

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

THE **PLANNING AND ZONING COMMISSION** OF THE CITY OF RAYMORE, MISSOURI, MET IN REGULAR SESSION **TUESDAY, OCTOBER 17, 2023** IN THE COUNCIL ROOM AT RAYMORE CITY HALL, 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING COMMISSION MEMBERS PRESENT: ERIC BOWIE, JEREMY MANSUR, JIM PETERMANN, WILLIAM FAULKNER, MATTHEW WIGGINS, KELLY FIZER, ERIC SMITH, MARIO URQUILLA, AND MAYOR TURNBOW. ALSO PRESENT WAS CITY PLANNER DYLAN EPERT, CITY ATTORNEY JONATHAN ZERR, ASSISTANT CITY ENGINEER TRENT SALSBURY, AND ADMINISTRATIVE ASSISTANT EMILY JORDAN.

1. **Call to Order** – Chairman Wiggins called the meeting to order at 6:00 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 the September 5, 2023 meeting.**

Motion by Commissioner Faulkner, Seconded by Commissioner Urquilla to approve the Consent Agenda.

Vote on Motion:

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

Motion passed 7-0-2.

6. **Unfinished Business - none**

7. **New Business -**

a. **Case #23040 - Timber Trails, Dean Avenue Vacation of Right of Way (*Public Hearing*)**

Public hearing opened at 6:01pm.

City Planner Dylan Epert gave the Staff Report, including the property location, existing surrounding zoning, Right of Way size, Growth Management Plan and Major Street Plan, previous actions on or near the property, Engineering comments, Staff comments, and the Staff recommendation. Mr. Epert noted that the Unified Development Code states that $\frac{2}{3}$ of the surrounding property owners must consent before a vacation may be granted. The surrounding property owner is the applicant. City Staff recommend the Commission accept the findings of fact and forward the case to the City Council with a recommendation of approval.

Public hearing closed at 6:05pm.

Commissioner Urquilla asked Mr. Eppert if this is essentially gifting the remaining area to the developers.

Mr. Eppert confirmed that yes, that is essentially the point of the case.

Motion by Commissioner Mansur, Seconded by Commissioner Smith to accept the Staff proposed findings of fact and forward Case #23040 - Timber Trails, Dean Avenue Vacation of Right of Way, 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 Smith	Aye
Commissioner Petermann	Aye
Commissioner Urquilla	Aye
Commissioner Mansur	Aye
Mayor Turnbow	Aye

Motion passed 9-0-0.

b. Case #23038 - Raymore Galleria 3rd Plat - Final Plat

Mr. Eppert gave the Staff Report, including the property location, existing and surrounding zoning, previous planning actions, and Staff comments. Mr. Eppert noted that the internal roadways of the site are considered private and therefore are required to be maintained by the applicant and property owner. City Staff recommends the Commission accept the findings of fact and forward the Case to the City Council with a recommendation of approval.

Motion by Commissioner Urquilla, Seconded by Commissioner Mansur, to accept Staff Proposed findings of fact and forward Case #23038, Raymore Galleria 3rd Plat, Final Plat 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 Smith	Aye
Commissioner Petermann	Aye
Commissioner Urquilla	Aye
Commissioner Mansur	Aye
Mayor Turnbow	Aye

Motion passed 9-0-0.

8. City Council Report

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

9. Staff Report

Mr. Eppert gave an update on the Development Services monthly report, and noted that there will be a meeting on November 7th to go over the 2024 meeting calendar and election of officers. Assistant City Engineer Trent Salsbury gave an Engineering and Public Works update.

10. Public Comment

No public comments.

11. Commission Member Comment

Commissioner Bowie thanked Staff.

Commissioner Mansur thanked Staff and mentioned he is a fan of the holiday tree idea.

Commissioner Faulkner thanked Staff.

Commissioner Fizer mentioned she would like to have a Planning & Zoning Commission holiday tree in the park by the Mayor's tree, and also mentioned she's been on the Commission for 10 years.

Commissioner Smith thanked Staff.

Commissioner Urquilla thanked Staff.

Mayor Turnbow thanked everyone for their condolences, and gave an update on the landfill.

Chairman Wiggins gave an update about the landfill, and wished everyone a happy Halloween.

12. Adjournment

Motion by Commissioner Faulkner, Seconded by Commissioner Urquilla, to adjourn the October 17, 2023 Planning and Zoning Commission meeting.

Vote on Motion:

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

Motion passed 9-0-0.

The October 17, 2023 meeting adjourned at 6:24 p.m.

Respectfully submitted,
Emily Jordan



To: Planning and Zoning Commission
From: City Staff
Date: November 7, 2023
Re: Case # 23041 108 N. Madison St. CUP - Pole Sign

GENERAL INFORMATION

**Applicant/
Property Owner:** Michael Joy
423 SW Brielle Ln.
Lee's Summit, MO 64082

Requested Action: Conditional Use Permit to allow for nonconforming pole sign to remain at the subject property.

Property Location: 108 N. Madison St.

2023 Aerial:



Site Photos:



View looking west from N. Madison St.



View looking north from south property line.

Exiting Zoning: “C-2” General Commercial District

Existing Surrounding Uses: **North:** Multi-Tenant Commercial Building
 South: Stand-Alone Commercial Building
 East: N. Madison St. and Commercial Uses
 West: Attached Single Family (Walnut Estates)

Total Tract Size: 0.355 Acres

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

Major Street Plan: The Major Thoroughfare Plan Map classifies N. Madison St. as a Major Arterial and W. Walnut St. as a Major Arterial.

Advertisement: October 18, 2023 **North Cass Herald** newspaper
 November 8, 2023 **North Cass Herald** newspaper

Public Hearing: November 7, 2023 Planning and Zoning meeting
 November 27, 2023 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
 Additional exhibits as presented during hearing

PROPOSAL

Outline of Requested Action: *The applicant seeks to obtain a Conditional Use Permit to allow for a nonconforming pole sign to remain at the subject property.*

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 for a Conditional Use Permit, specifically, Section 470.030.

PREVIOUS ACTIONS ON OR NEAR THE PROPERTY

1. In 1971 a standalone commercial building was constructed on the subject property to be used as a law firm. The use for this property has been changed several times since 1971.
2. This property still remains unplatted at this time.
3. The Raymore Journal did not renew their business license for the 2023 calendar year as they went out of business.
4. On April 20, 2023 (109 days after January 1, 2023) Drayton Vogel (Code Enforcement Officer) sent Mr. Joy (Property Owner) a notice of violation regarding the nonconforming pole sign. No response was received from Mr. Joy. A deadline to have the nonconforming pole sign removed or brought into full compliance was set for May 4, 2023.
5. On May 9, 2023 Mr. Joy's code violation case was forwarded to the municipal court.
6. Mr. Joy has had three court dates (June 22, 2023, August 17, 2023 and September 21, 2023) with the judge giving continuances on all three court dates.
7. On September 20, 2023 Mr. Joy reached out to Dylan Eppert (City Planner) to discuss his possible options for addressing the issues with the pole sign in question.
8. On September 28, 2023 Mr. Joy filed a conditional use permit with the City of Raymore in order to request that the sign be able to remain on the property.

STAFF COMMENTS

1. Public hearing notices were mailed out to 9 adjoining property owners.
2. There are four (4) sections of the Unified Development Code that prohibit, or address poles signs, see the following:
 - a. Section 435.020(D)(9) "Prohibited Signs", the Unified Development Code identifies 10 types of signs that are prohibited and Pole Signs are identified as prohibited.
 - b. Section 435.060(D) Freestanding Signs.
 1. A freestanding monument sign shall be supported with a base that is at least eighty percent (80%) of the width of the sign at its widest point.

2. A freestanding ground sign shall be supported by two (2) or more posts or supports.
3. Permanent freestanding signs are not permitted within any utility or drainage easement.
4. Freestanding signs shall be set back a minimum of five (5) feet from all property lines.

c. Section 475.070(E) “Nonconforming Signs”

Abandonment. Any nonconforming sign that no longer advertises an activity, business or use conducted or a product sold on the premises where the sign is located will be deemed to be abandoned after a period of ninety (90) days. All abandoned signs must be removed or brought into full compliance with the regulations of this Code.

d. Section 435.050 “Permitted Signs” (See Table Below)

Zoning District	Sign Type	Max Number Permitted	Maximum Size (sq ft)	Maximum Height	Illumination Permitted	Additional Requirements	
C-2, C-3, BP, M-1 and M-2	Monument Sign	Individual building with 1 tenant	1 per street frontage	32	6	direct or indirect	See also Section 435.060D
		Individual building 2-4 tenants	1 per street frontage	48	6	direct or indirect	See also Section 435.060D
		Shopping center under 100,000 square feet	1 per street frontage	80	15	direct or indirect	See also Section 435.060D
		Shopping center 100,000 square feet or more	1 per street frontage	300	30	direct or indirect	See also Section 435.060D
	Monument or Ground	Billboard on lot under 2 ac	1 per street frontage	32	6	direct or indirect	See also Section 435.060D & E
		Billboard on lot 2-5 ac	1 per street frontage	48	6	direct or indirect	See also Section 435.060D & E
		Billboard on lot greater than 5 ac	1 per street frontage	80	15	direct or indirect	See also Section 435.060D & E

3. Section 435.100 “Conditional Use Permits” states, “A request to install a sign that is not allowed by this chapter or a request to install a sign that is not in conformance with the standards of this chapter may be filed as a Conditional Use Permit in accordance with Section 470.030.”

4. There are nine (9) total pole signs on N. Madison St. including the subject property. Eight of the properties are in compliance with their pole signs as they have not had a lapse of 90 days without a tenant conducting business in those locations, as outlined in Section 475.070(E) of the UDC
5. On October 1, 2015 58 Automotive (302 W. Pine St.) was issued a notice of violation for a nonconforming pole sign. The property owner at the time brought the sign into compliance.
6. On August 26, 2015 Little Folks Daycare (400 W. Walnut St.) was issued a notice of violation for a nonconforming pole sign. The pole sign was removed by the property owner which brought the property back into compliance.
7. On May 16, 2016 Ryan's Steakhouse (1918 W. Foxwood Dr.) was issued a notice of violation for having a nonconforming pole sign. The sign was brought into compliance by the property owner turning it into a monument sign.
8. On February 7, 2019 Pizza Hut (2023 W. Foxwood Dr.) was issued a notice of violation for having a nonconforming pole sign. The sign was removed which brought the property back into compliance.
9. On November 3, 2023 McGinnis Customs and Collision (104 Evans Ave.) was issued a notice of violation for having a nonconforming pole sign. The pole sign was brought back into compliance by the property owner removing the sign.
10. November 3, 2021 McGinnis Customs and Collision was issued a notice of violation for a nonconforming pole sign. The sign was removed by the property owner which brought the property back into compliance.
11. Mr. Joy is not marketing the subject property for sale/lease at this time.

PLANNING COMMISSION PROPOSED FINDINGS OF FACT

Chapter 470, Section 470.030(E) of the Unified Development Code states that a Conditional Use Permit may be granted by the City Council by ordinance provided that specific written findings of fact have been made by the Planning and Zoning Commission based upon the particular evidence presented which supports the following conclusions:

1. the size of the sign is appropriate for the property;

The current pole sign exceeds the maximum 6' height allowance pursuant to Section 435.050 of the Unified Development Code.

2. The location selected for the sign does not interfere with the visibility of any conforming sign installed on adjacent property;

The current location for the sign does not interfere with the visibility of any conforming sign installed on adjacent properties.

3. the number of signs requested for the property is appropriate;

The subject property is allowed to have 1 monument sign as prescribed by section 435.050 of the Unified Development Code. However, the pole sign is not considered a monument sign and therefore considered a prohibited sign.

4. Whether there is a condition unique to the property, such as topography, line-of-sight, natural feature, or other factor that necessitates that the conditional use be granted so the sign will be visible; and

There are not any unique conditions to the property with regards to topography, line-of-sight, natural features or any other factor that would necessitate a conditional use permit be granted for this request.

5. Whether the sign, due to its height, size, location or total number of signs on the property will have a significant impact on the general welfare of the neighborhood or community; and

The sign, due to its height, size, location or total number of signs on the property does not have a significant impact on the general welfare of the neighborhood or community. However, The pole signs that exist on adjacent properties do conform to the Unified Development code. Per Section 475.070 Any nonconforming sign that no longer advertises an activity, business or use conducted or a product sold on the premises where the sign is located will be deemed to be abandoned after a period of ninety (90) days. All abandoned signs must be removed or brought into full compliance with the regulations of this Code. If this sign were allowed to stay this would be setting a dangerous precedent for not only future pole sign requests but also for pole signs that the City has had removed in the past.

6. whether the sign is compatible with the general character of surrounding property.

The existing pole sign was installed prior to the requirements of obtaining a sign permit in the City. While other pole signs exist in the surrounding area of the property, pole signs in general are now prohibited within City Code. The other pole signs that exist nearby the property are considered legal-nonconforming, as they meet the requirements outlined in Section 475.070 of the UDC.

If someone wanted to construct the same exact sign anywhere in the city limits of Raymore the sign permit application would be denied. Pole signs are prohibited within the Unified Development Code.

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>City Council 1st</u>	<u>City Council 2nd</u>
Public Hearing	November 7, 2023	November 27, 2023	December 11, 2023

STAFF RECOMMENDATION

City Staff have reviewed the request for a Conditional Use Permit for the property located at 108 N. Madison St. and has made the determination that allowing a nonconforming pole sign to remain at the subject property sets a dangerous precedent with future conditional use permit requests as there have been several pole signs that have been brought into compliance in the past.

Staff recommends that the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case # 23041 108 N. Madison St. CUP - Pole Sign to the City Council with a recommendation of denial.



Apr 20, 2023

MICHAL J. JOY
423 SW BRIELLE DR
LEES SUMMIT, MO 64082

Re: 108 N. Madison St, Raymore, MO

Dear Michael J. Joy:

Please be advised that the free-standing sign (photograph of sign attached) located in the landscaped area of your property located at 108 N MADISON ST (former RAYMORE JOURNAL) is a nonconforming sign that has been abandoned as defined by Section 475.070E of the City of Raymore Unified Development Code.

Section 475.070E states "Any nonconforming sign that no longer advertises an activity, business or use conducted or a product sold on the premises where the sign is located will be deemed to be abandoned after a period of 90 days. All abandoned signs must be removed or brought into full compliance with the regulations of this Code."

The sign in question has not advertised any activity or product sold on the premises since at least December 31, 2022. As such, you are hereby notified that the sign must be removed or brought into full compliance with the regulations of this Code by May 04, 2023. Failure to do so will result in the City utilizing one or more of the enforcement remedies outlined in Section 480.030 of the Raymore Unified Development Code, including issuance of a citation, abatement and/or filing for injunctive relief.

Your voluntary compliance with this notice would be appreciated. Should you have any questions please feel free to contact me at (816) 892-3027 or by email at dvogel@raymore.com.

Respectfully,

A handwritten signature in black ink, appearing to read "Drayton Vogel", written in a cursive style.

Drayton Vogel
Code Enforcement Officer



To: Planning and Zoning Commission
From: City Staff
Date: November 7, 2023
Re: Case # 23044 - Saddlebrook 1st Plat - Final Plat lots 1 thru 23 and Tracts A, B, C & D

GENERAL INFORMATION

Applicant: Rob Clifton
Saddlebrook LLC
509 NW 5th St.
Blue Springs, MO 64014

Property Owner: Rick Frye
Brookside Builders
803 PCA Rd.
Warrensburg, MO 64093

Requested Action: Final Plat Approval, Saddlebrook 1st Plat

Property Location: Generally, located north of Hubach Hill, east of existing Stonegate Subdivision



Site Photographs:



View looking north from Brook Pkwy and Hubach Hill Rd.



View looking south from Brook Pkwy and Bristol Dr.

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

Existing Surrounding Zoning: **North:** "R-1" Single-Family Residential District
"R-1P" Single-Family Residential Planned District
South: "R-1P" Single-Family Residential Planned District
East: Unincorporated Cass County
West: "R-1P" Single-Family Residential Planned District

Existing Surrounding Uses: **North:** Single-Family Subdivision (Brookside)
South: Single-Family Subdivision (Prairie of the Good Ranch)
East: Unincorporated Cass County
West: Single-Family Subdivision (Stonegate)

Total Tract Size: 5.74 Acres

Total Number of Lots: 23 Lots and 4 Tracts (A, B, C & D)

Density - Units Per Acre: 4.01

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

Major Street Plan: The Major Thoroughfare Plan Map classifies Hubach Hill Road as a Minor Arterial. Brook Parkway is classified as a Minor Collector.

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 Saddlebrook 1st Plat– Lots 1 thru 23 and Tracts A, B, C & D.

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 subject property was rezoned from “R-1” Single Family Residential District to “R-1P” Single Family Residential Planned District on April 10, 2006. The Planned District allowed for a reduction in the minimum side yard building setback from 10 feet down to 10% of the lot width, with a minimum of 7 feet; and reduced the minimum front yard building setback on the side street for corner lots from 30 feet down to 20 feet.
2. The Brookside South Preliminary Plat was approved for the subject property on May 22, 2006. The Preliminary Plat expired on September 2, 2018.
3. Prairie View of the Good Ranch was rezoned from “A” Agricultural District to “R-1P” Single Family Residential Planned District on October 10, 2005. The Planned District allowed for a reduction in the minimum lot depth from 120 feet down to 100 feet; allowed for a reduction in the minimum rear yard building setback from 30 feet down to 25 feet; and allowed for a reduction in the minimum side yard building setback from 10 feet down to 8.3 feet.
4. In 2015 the Planned District requirements for Prairie View of the Good Ranch were adjusted as follows: the minimum lot size was reduced from 8,400 square feet down to 7,200 square feet; the minimum lot width was reduced from 70 feet down to 60 feet; the minimum front yard building setback was reduced from 30 feet down to 25 feet; and the minimum side yard building setback was reduced from 8.3 feet down to 6 feet.
5. The Venue of The Good Ranch, a townhome development proposed for the northeast corner of Dean Avenue and North Cass Parkway, was rezoned from “A” Agricultural District to “PUD” Planned Unit Development District, on September 9, 2019. The development will consist of 51 4-unit townhome buildings.
6. A request to reclassify the zoning of the property from R-1P to R-2P in order to allow single and two-family residential dwellings was recommended for denial by the Planning Commission in September 2020. Prior to the public hearing by the City Council the applicant withdrew the application.
7. A Good Neighbor Meeting was held on May 19, 2021 for the original preliminary plat request.

8. The City Council voted to approve the Saddlebrook Subdivision - Preliminary Plat as well as amending the bulk and dimensional standards (shown below) of the “R-1P” Single-Family Residential District zoning designation on July 26, 2021.
9. The previously approved preliminary plat (2021) expired on July 26, 2022.
10. On June 12, 2023 the City Council approved the current preliminary plat for the Saddlebrook subdivision.

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 “R-1P” Single-Family Residential Planned District zoning classification for the subject property is provided below:

Current R-1P	
Minimum Lot Area	
square feet	4,500
Minimum Lot Width (feet)	45
Minimum Lot Depth (feet)	100
Yards, Minimum (feet)	
front	30
rear	30
side	5ft
side, corner lot	20
Maximum Building Height (feet)	35
Maximum Building Coverage (%)	40

2. A 10’ wide walking trail will be constructed within the open space area along the western property line for this phase of development.
3. A 5’ sidewalk is required to be constructed on the north side of Hubach Hill Rd.
4. A buffer strip is required along Hubach Hill Rd. as the proposed development has homes that back up to an arterial or collector street. A Landscape plan is required as part of this buffer strip requirement which has been submitted and is compliant with the Unified Development Code.

5. The Planning and Zoning Commission waived the requirement as outlined in section 445.030.19A regarding the four (4) cul-de-sacs on the south side of the proposed development exceeding 600' in length.

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 final plat is substantially the same as the preliminary plat and Memorandum of Understanding. Roadway alignments and lot configurations generally remain the same.

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 of Raymore with one (1) exception. The Planning and Zoning Commission waived the requirement as outlined in section 445.030.19A regarding the four (4) cul-de-sacs on the south side of the proposed development exceeding 600' in length.

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

The proposed plat complies with the conditions of the Memorandum of Understanding that was attached to the approval of the preliminary plat.

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>City Council 1st</u>	<u>City Council 2nd</u>
Review	November 7, 2023	November 13, 2023	December 11, 2023

STAFF RECOMMENDATION

Staff recommends that the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case #23044 Saddlebrook 1st Final Plat; Lots 1 thru 23 and Tracts A, B, C & D to the City Council with a recommendation of approval.

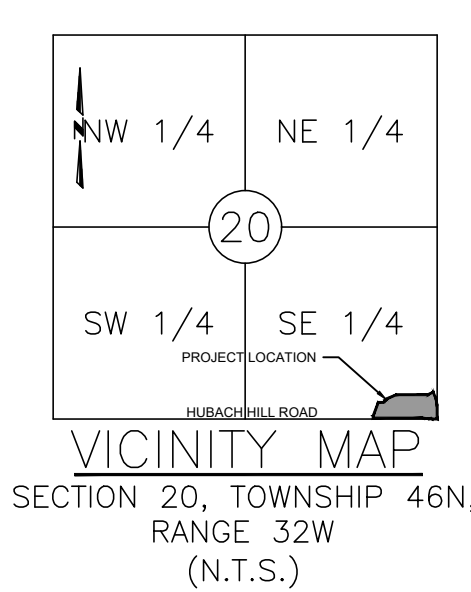
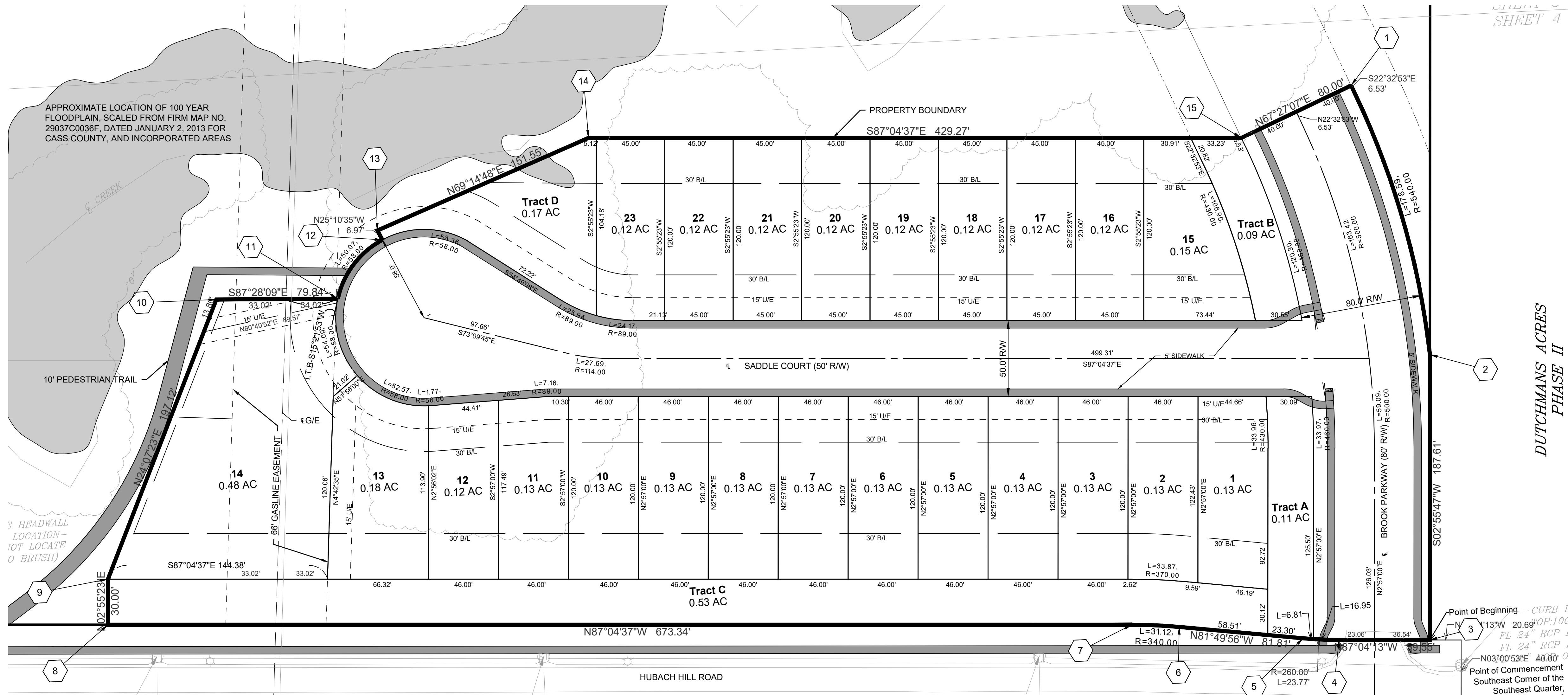
FINAL PLAT SADDLEBROOK FIRST PLAT

PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 46 NORTH, RANGE 32 WEST
RAYMORE, CASS COUNTY, MO

LAND DATA	
TOTAL LAND AREA	5.74 AC
LAND AREA FOR PROPOSED AND EXISTING RIGHT OF WAY	1.52 AC
NET LAND AREA	4.22 AC
PLAT DATA	
NUMBER OF LOTS	23
NUMBER OF TRACTS	4

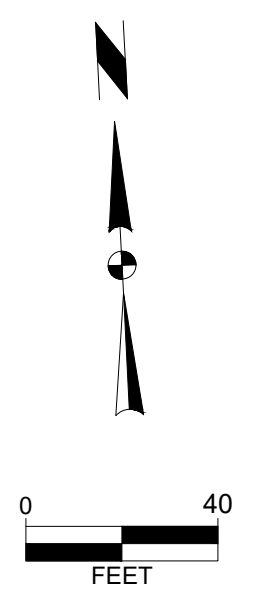
LEGAL DESCRIPTION:

ALL THAT PART OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 46, RANGE 32, IN THE CITY OF RAYMORE, CASS COUNTY, MISSOURI DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 03 DEGREES 00 MINUTES 53 SECONDS WEST, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 40.00 FEET TO THE NORTH RIGHT OF WAY LINE OF HABACH HILL ROAD; THENCE NORTH 87 DEGREE 04 MINUTES 13 SECONDS WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 20.69 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN TO BE DESCRIBED; THENCE NORTH 87 DEGREE 04 MINUTES 13 SECONDS WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 59.55 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY, NORTHWESTERLY ALONG A CURVE TO THE RIGHT BEING TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 260.00 FEET AN ARC LENGTH OF 23.77 FEET; THENCE NORTH 81 DEGREE 49 MINUTES 56 SECONDS WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 81.81 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY, SOUTHWESTERLY ALONG A CURVE TO THE LEFT BEING TANGENT TO THE LAST DESCRIBED COURSE HAVING A RADIUS OF 340.00 FEET, AN ARC LENGTH OF 31.12 FEET; THENCE NORTH 87 DEGREE 04 MINUTES 37 SECONDS WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 673.34 FEET; THENCE NORTH 02 DEGREE 55 MINUTES 23 SECONDS EAST, A DISTANCE OF 30.00 FEET, THENCE NORTH 24 DEGREE 07 MINUTES 23 SECONDS EAST, A DISTANCE OF 197.12 FEET; THENCE SOUTH 87 DEGREE 28 MINUTES 09 SECONDS EAST, A DISTANCE OF 79.84 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF NORTH 15 DEGREES 21 MINUTES 53 SECONDS EAST, HAVING A RADIUS OF 58.00 FEET, AN ARC LENGTH OF 50.07 FEET; THENCE NORTH 25 DEGREE 10 MINUTES 35 SECONDS WEST, A DISTANCE OF 6.97 FEET; THENCE NORTH 69 DEGREE 14 MINUTES 48 SECONDS EAST, A DISTANCE OF 151.55 FEET; THENCE SOUTH 87 DEGREE 04 MINUTES 37 SECONDS WEST, A DISTANCE OF 429.27 FEET; THENCE NORTH 67 DEGREES 27 MINUTES 07 SECONDS EAST, A DISTANCE OF 80.00 FEET; THENCE SOUTH 22 DEGREES 32 MINUTES 53 SECONDS EAST, A DISTANCE OF 6.53 FEET; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT BEING TANGENT TO THE LAST COURSE, HAVING A RADIUS OF 540.00 FEET, AN ARC LENGTH OF 178.59 FEET TO THE WEST LINE OF DUTCHMAN ACRES PHASE II, A SUBDIVISION OF LAND IN RAYMORE, CASS COUNTY, MISSOURI; THENCE SOUTH 02 DEGREES 55 MINUTES 47 SECONDS WEST, ALONG SAID WEST LINE, A DISTANCE OF 187.61 FEET TO THE POINT OF BEGINNING.



APPLICANT:
SADDLEBROOK LLC
609 NW 5TH STREET
BLUE SPRINGS, MO 64014

SURVEYOR:
SNYDER & ASSOCIATES, INC.
201 NW 72ND STREET
GLADSTONE, MO 64118
CONTACT:
Zachary Brinker
PLS2016042019



PLAT DEDICATION:
SADDLEBROOK LLC ("DEVELOPER") IS OWNER OF ALL REAL ESTATE REFLECTED UPON THIS PLAT AND HAS CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THE PLAT. THE PLAT IS FILED FOR RECORD AND RECORDED SUBJECT TO THE FOLLOWING PROVISIONS, AND THE SUBDIVISION SHALL BE HEREAFTER KNOWN AS:

"SADDLEBROOK FIRST PLAT"

STREET DEDICATION:
STREET SHOWN HEREON AND NOT HERETOFORE DEDICATED FOR PUBLIC USE AS THOROUGHFARES ARE HEREBY DEDICATED.

EASEMENT DEDICATION:
AN EASEMENT IS HEREBY GRANTED TO THE CITY OF RAYMORE, MISSOURI, TO LOCATE, CONSTRUCT, OPERATE, AND MAINTAIN OR TO AUTHORIZE THE LOCATION, CONSTRUCTION, OPERATION AND MAINTENANCE OF POLES, WIRES, ANCHORS, PIPES, CONDUITS, TRANSFORMERS, PEDESTALS, AND/OR STRUCTURES FOR WATER, GAS, ELECTRICITY, STORM SEWER, SANITARY SEWER, TELEPHONE, CABLE TELEVISION, SURFACE DRAINAGE, OR ANY OTHER NECESSARY PUBLIC UTILITY OR SERVICE, ANY OR ALL OF THEM UPON, OVER, UNDER AND ALONG THOSE AREAS OUTLINED OR DESIGNATED ON THIS PLAT AS "UTILITY EASEMENT" OR "U/E" AND/OR TRACTS A, B, C, AND D. WHERE AN EASEMENT IS DESIGNATED FOR A PARTICULAR PURPOSE, I.E., "DRAINAGE EASEMENT" OR "D/E", THE USE THEREOF SHALL BE LIMITED TO THAT PURPOSE ONLY. ALL OF THE ABOVE EASEMENTS SHALL BE KEPT FREE FROM ANY AND ALL OBSTRUCTION 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 THE CITY OF RAYMORE, MISSOURI, AND ITS FRANCHISED UTILITIES FROM GOING UPON SAID EASEMENT 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 THE WRITTEN APPROVAL OF THE CITY ENGINEER.

BUILDING LINES, SETBACK LINES, AND UTILITY AND DRAINAGE EASEMENTS:
BUILDING LINES OR SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THE ACCOMPANYING PLAT AND NO BUILDING OR PORTION THEREOF SHALL BE LOCATED OR CONSTRUCTED BETWEEN THIS LINE AND THE STREET RIGHT OF WAY LINE OR LOT LINE NEAREST THERETO. THE BUILDING LINES AND SETBACK LINES SHALL CONTROL AS TO CONSTRUCTION OF A STRUCTURE UPON THE LOTS REFLECTED THEREON, SUBJECT, HOWEVER, TO THE PROVISIONS OF THE DECLARATION AFORESAID. UNLESS SHOWN OTHERWISE ON THE PLAT, ALL LOTS HAVE A FIVE FOOT UTILITY AND DRAINAGE EASEMENT ON THE INTERIOR OF ALL LOT LINES, SUCH EASEMENTS TO BE PARALLEL WITH THE CORRESPONDING LOT LINE.

COMMON PROPERTY (TRACTS A, B, C & D):
THE COMMON PROPERTIES REFLECTED UPON THIS PLAT ARE FOR THE COMMON USE AND ENJOYMENT OF THE OWNERS OF LOTS REFLECTED UPON THIS PLAT AS WELL AS THE OWNERS OF ALL PROPERTIES AS SO DEFINED IN THE DECLARATION AFORESAID AND SHALL IN NO WAY BE CONSIDERED AS DEDICATED FOR THE USE OF THE GENERAL PUBLIC. MAINTENANCE OF SAID COMMON PROPERTIES SHALL BE PROVIDED FOR AS SET FORTH IN THE DECLARATION AFORESAID.

SIDEWALKS:
THE OWNER OF ANY UNDEVELOPED LOT WITHIN THE SUBDIVISION SHALL BE REQUIRED TO CONSTRUCT A SIDEWALK ON THAT LOT WHEN:
(A) 66% OR MORE OF THE LOTS ON THE SAME SIDE OF THE STREET IN THE SAME BLOCK ALREADY HAVE A SIDEWALK; AND
(B) IT HAS BEEN 3 YEARS FROM THE DATE THE FIRST CERTIFICATE OF OCCUPANCY WAS ISSUED IN THE SUBDIVISION PHASE THAT CONTAINS THE UNDEVELOPED LOT.

USE RESTRICTION:
ALL LOTS REFLECTED ON THIS PLAT ARE ZONED FOR RESIDENTIAL USE AND ONLY SINGLE FAMILY DETACHED STRUCTURES MAY BE CONSTRUCTED THEREON PURSUANT TO THE PROVISIONS, RESTRICTIONS, AND PROTECTIVE COVENANTS AS CONTAINED IN THE DECLARATION AFORESAID AND THE SUPPLEMENTAL DECLARATION. NO SINGLE FAMILY DETACHED STRUCTURE SHALL BE CONSTRUCTED WHICH SHALL HAVE A FLOOR SPACE OF LESS THAN THAT PROSCRIBED IN THE SUPPLEMENTAL DECLARATION.

NOTARY CERTIFICATION:
The acknowledgment of a notary in the following form:

State of)
County of) SS
Be it remembered that on this _____ day of _____, 20____, before me, a notary public in and for said County and State, came _____, 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 hereunto set my hand and affixed my notarial seal the day and year above written.

Notary Public _____
My Commission Expires: _____

The certificate of the Planning and Zoning Commission in the following form:
This plat of SADDLEBROOK FIRST PLAT has been submitted to and approved by the Raymore Planning and Zoning Commission this _____ day of _____, 20____.

Secretary _____

The approval of the plat and acceptance of easements and rights-of-way by the City Council in the following form:
This plat of _____ 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. _____, duly passed and approved by the Mayor of Raymore, Missouri, on the _____ day of _____, 20____.

Mayor _____

ATTEST: City Clerk _____ City Engineer _____

COORDINATE TABLE
BEARINGS AND COORDINATES ARE BASED UPON MISSOURI COORDINATE SYSTEM 1983, WESTERN ZONE, UTILIZING CONTROL MONUMENTS CA-30 AND HUBACH.

1) N: 953008.30 E: 2795381.33	6) N: 952658.70 E: 2795250.30	11) N: 952902.38 E: 2794708.73
2) N: 952829.10 E: 2795424.04	7) N: 952661.71 E: 2795219.34	12) N: 952939.51 E: 2794739.98
3) N: 952641.74 E: 2795414.41	8) N: 952696.05 E: 2794546.87	13) N: 952945.82 E: 2794737.02
4) N: 952644.78 E: 2795354.93	9) N: 952726.01 E: 2794548.40	14) N: 952999.52 E: 2794878.73
5) N: 952647.08 E: 2795331.28	10) N: 952905.91 E: 2794628.96	15) N: 952977.63 E: 2795307.44

SURVEYOR'S CERTIFICATE
I HEREBY CERTIFY: THAT THIS PLAT OF SADDLEBROOK FIRST PLAT SUBDIVISION IS BASED ON AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF SAID SURVEY MEETS OR EXCEEDS THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS FOR AS ESTABLISHED BY THE MISSOURI DEPARTMENT OF AGRICULTURE, DIVISION OF GEOLOGICAL SURVEY AND RESOURCES ASSESSMENT, AND MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS, ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS. I FURTHER CERTIFY THAT I HAVE COMPLIED WITH ALL STATUTES, ORDINANCES AND REGULATIONS GOVERNING THE PRACTICE OF SURVEYING AND THE PLATTING OF SUBDIVISIONS TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

ZACHARY A. BRINKER, PLS 2016042019
SNYDER & ASSOCIATES ENGINEERS AND PLANNERS, INC

MARK	REVISION	DATE	BY

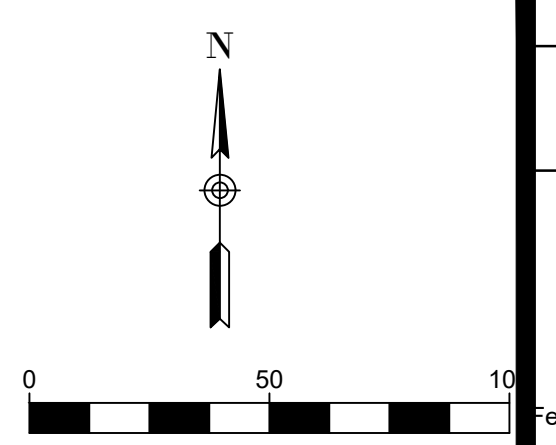
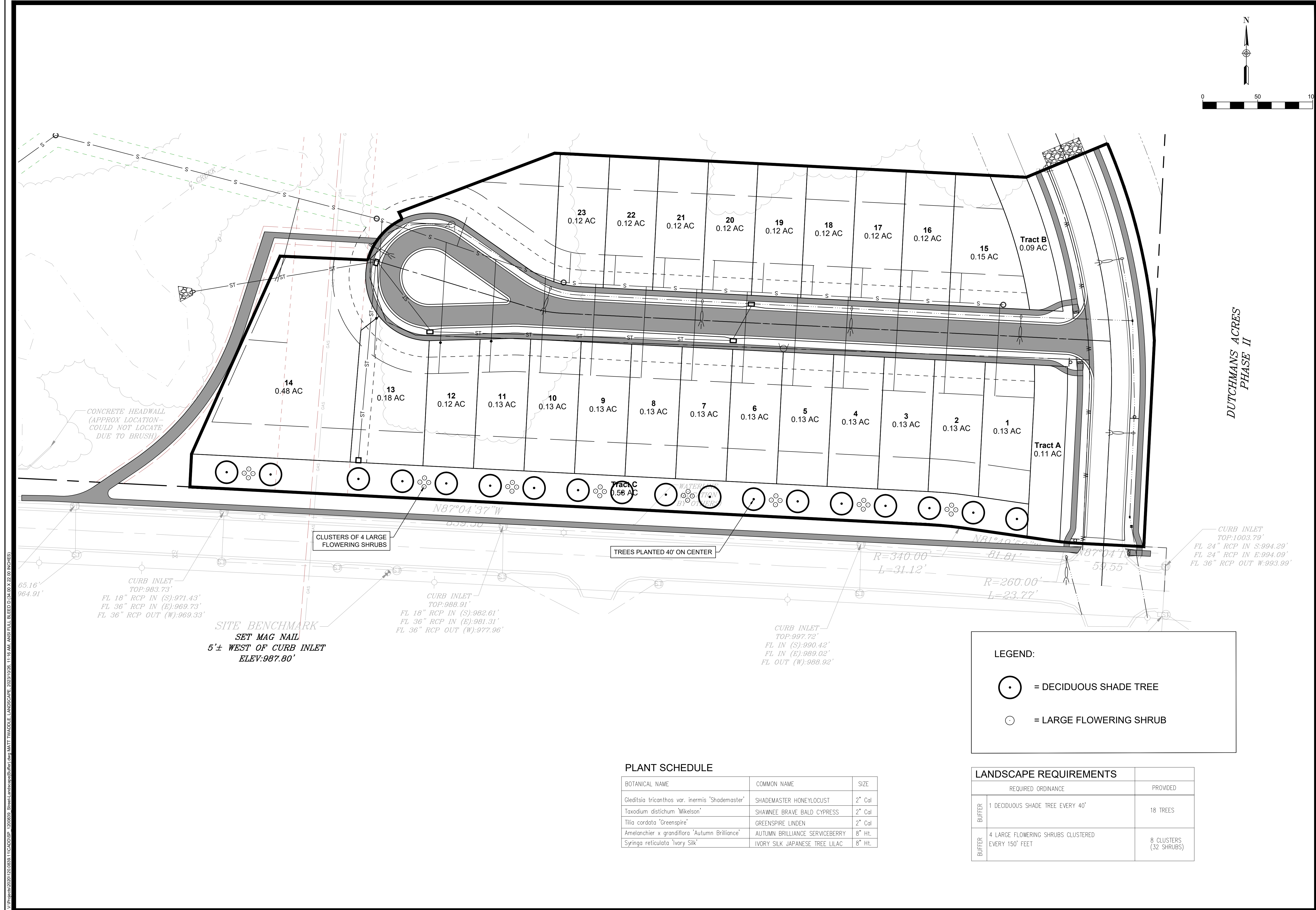
Checked By: ZB
Date: 09-29-2023
Technician: MT
Snyder & Associates Engineers & Planners, Inc.
Missouri State Certificate of Authority #200608544

RAYMORE, MO
802 FRANCIS STREET
ST. JOSEPH, MISSOURI 64501
(816) 364-5222 | www.snyder-associates.com

SADDLEBROOK FIRST PLAT
FINAL PLAT
SNYDER & ASSOCIATES
ENGINEERS & PLANNERS, INC.



Project No: 120.0839.11
Sheet 1



MARK	REVISIONS PER COMMENTS	DATE	BY
		5-19-22	JS
Engineer: SD	Checked By: SD	Scale: 1" = 50'	
Technician: JS	Date: 03-10-2022	T-R-S: 46N-32W-20	

Snyder & Associates Engineers & Planners, Inc.
Missouri State Certificate of Authority #200608544

STATE OF MISSOURI
SHAWN DUKE
NUMBER
PE-2013006489
PROFESSIONAL ENGINEER

SHAWN DUKE - ENGINEER
MO PE#2013006489

SADDLEBROOK 1ST PLAT
STREET & STORM SEWER PLANS
LANDSCAPE PLAN

RAYMORE, MO

802 FRANCIS STREET
ST. JOSEPH, MISSOURI 64501
816-364-5222 | www.snyder-associates.com

SNYDER & ASSOCIATES
ENGINEERS & PLANNERS, INC.

SNYDER
& ASSOCIATES

Project No: 120.0839.11
Sheet 15

LEGEND:

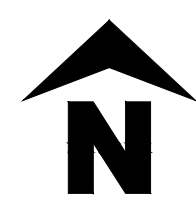
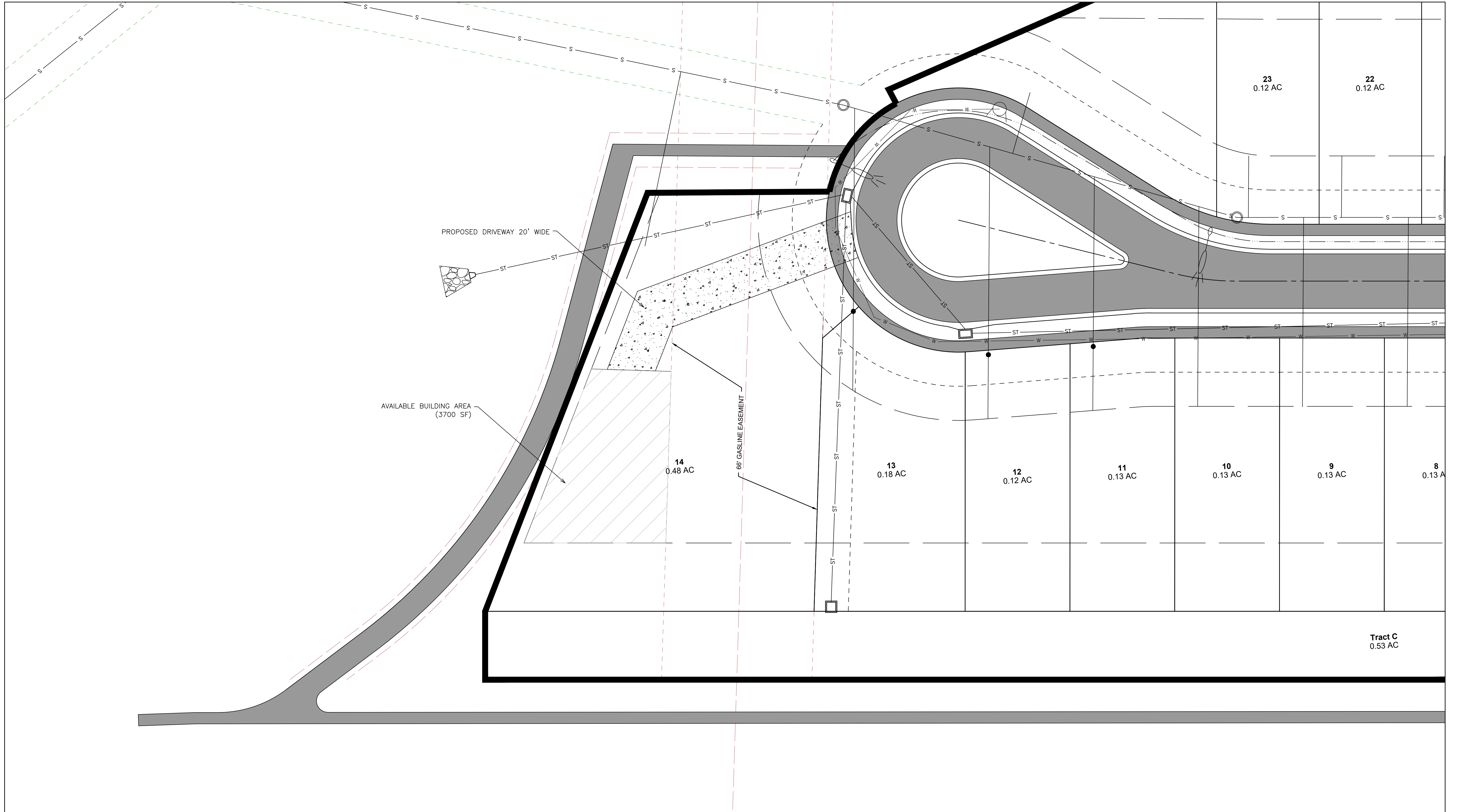
⊙ = DECIDUOUS SHADE TREE

⊙ = LARGE FLOWERING SHRUB

PLANT SCHEDULE

BOTANICAL NAME	COMMON NAME	SIZE
<i>Gleditsia tricanthos</i> var. <i>inermis</i> 'Shademaster'	SHADEMASTER HONEYLOCUST	2" Cal
<i>Taxodium distichum</i> 'Mikelson'	SHAWNEE BRAVE BALD CYPRESS	2" Cal
<i>Tilia cordata</i> 'Greenspire'	GREENSPIRE LINDEN	2" Cal
<i>Amelanchier x grandiflora</i> 'Autumn Brilliance'	AUTUMN BRILLIANCE SERVICEBERRY	8" Ht.
<i>Syringa reticulata</i> 'Ivory Silk'	IVORY SILK JAPANESE TREE LILAC	8" Ht.

	REQUIRED ORDINANCE	PROVIDED
BUFFER	1 DECIDUOUS SHADE TREE EVERY 40'	18 TREES
BUFFER	4 LARGE FLOWERING SHRUBS CLUSTERED EVERY 150' FEET	8 CLUSTERS (32 SHRUBS)





Development Agreement
For
Saddlebrook Final Plat
Lots 1 thru 23
and Tracts A thru D

Legal Description Contained on Pages 2-3

Between Saddlebrook, LLC, Grantor and
City of Raymore, Grantee

100 Municipal Circle
Raymore, MO 64083

November 27, 2023

DEVELOPMENT AGREEMENT

THIS AGREEMENT, MADE THIS **27^h day of November, 2023** by and between, **Saddlebrook, LLC** hereinafter referred to as "Sub-divider" and the City of Raymore, Missouri, a Municipal Corporation, hereinafter referred to as "City".

WHEREAS, Sub-divider seeks to obtain approval from the City for a subdivision to be known as **Saddlebrook 1st Final Plat** which is located in the City of Raymore, Cass County, Missouri, and;

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

WHEREAS, the City desires to ensure that the Sub-divider will accomplish certain things in order to protect the public 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:

1. The terms of this agreement apply to the following property and all portions thereof: **Saddlebrook 1st Final Plat**

ALL THAT PART OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 46, RANGE 32, IN THE CITY OF RAYMORE, CASS COUNTY, MISSOURI DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 03 DEGREES 00 MINUTES 53 SECONDS WEST, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 40.00 FEET TO THE NORTH RIGHT OF WAY LINE OF HABACH HILL ROAD; THENCE NORTH 87 DEGREE 04 MINUTES 13 SECONDS WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 20.69 FEET TO THE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN TO BE DESCRIBED: THENCE NORTH 87 DEGREE 04 MINUTES 13 SECONDS WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 59.55 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY, NORTHWESTERLY ALONG A CURVE TO THE RIGHT BEING TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 260.00 FEET AN ARC LENGTH OF 23.77 FEET; THENCE NORTH 81 DEGREE 49 MINUTES 56 SECONDS WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 81.81 FEET; THENCE CONTINUING ALONG SAID RIGHT OF WAY, SOUTHWESTERLY ALONG A CURVE TO THE LEFT BEING TANGENT TO THE LAST DESCRIBED COURSE HAVING A RADIUS OF 340.00 FEET, AN ARC LENGTH OF 31.12 FEET; THENCE NORTH 87 DEGREE 04 MINUTES 37 SECONDS WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 673.34 FEET; THENCE NORTH 02 DEGREE 55 MINUTES 23 SECONDS EAST, A DISTANCE OF 30.00 FEET, THENCE NORTH 24 DEGREE 07 MINUTES 23 SECONDS EAST, A DISTANCE OF 197.12 FEET; THENCE SOUTH 87 DEGREE 28 MINUTES 09 SECONDS EAST, A DISTANCE OF 79.84 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING AN INITIAL TANGENT BEARING OF NORTH 15 DEGREES 21 MINUTES 53 SECONDS EAST, HAVING A RADIUS OF 58.00 FEET, AN ARC LENGTH OF 50.07 FEET; THENCE NORTH 25 DEGREE 10 MINUTES 35 SECONDS WEST, A DISTANCE OF 6.97 FEET; THENCE NORTH 69 DEGREE 14 MINUTES 48 SECONDS EAST, A DISTANCE OF 151.55

FEET; THENCE SOUTH 87 DEGREE 04 MINUTES 37 SECONDS EAST, AND PARALLEL TO SAID RIGHT OF WAY, A DISTANCE OF 429.27 FEET; THENCE NORTH 67 DEGREES 27 MINUTES 07 SECONDS EAST, A DISTANCE OF 80.00 FEET; THENCE SOUTH 22 DEGREES 32 MINUTES 53 SECONDS EAST, A DISTANCE OF 6.53 FEET; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT BEING TANGENT TO THE THE LAST COURSE, HAVING A RADIUS OF 540.00 FEET, AN ARC LENGTH OF 178.59 FEET TO THE WEST LINE OF DUTCHMAN ACRES PHASE II, A SUBDIVISION OF LAND IN RAYMORE, CASS COUNTY, MISSOURI; THENCE SOUTH 02 DEGREES 55 MINUTES 47 SECONDS WEST, ALONG SAID WEST LINE, A DISTANCE OF 187.61 FEET TO THE POINT OF BEGINNING.

REQUIRED IMPROVEMENTS:

1. In accordance with the policies and ordinances of the City, the public improvements described herein shall be constructed and installed on the terms and conditions hereinafter contained. Public improvements within the Subdivision will be installed in accordance with the City of Raymore Standard Contract Documents and Technical Specifications & Design Criteria for Utility and Street Construction dated December 2017.
2. The public improvements are to be designed and installed at the Sub-divider's expense by the Sub-divider and are hereinafter referred to as "Improvements".
3. It shall be the obligation of the Sub-divider to furnish to the City plans and specifications for construction of the Improvements. Before any construction is commenced, the City Public Works Director shall approve plans and specifications for the Improvements. Once the City Public Works Director has approved the plans, any changes to the plans must be submitted to the City Public Works Director for approval.
4. The Sub-divider shall submit the appropriate grading/site/erosion control plan including appropriate sidewalk, meter elevations, and manhole elevations to the City Public Works Director for approval for development of the project. Before any construction is commenced within that phase, the City Public Works Director must approve plans for all required Improvements. It shall be the Sub-divider's responsibility to assure compliance with grading plans.
5. The Sub-divider shall provide a copy of all required State and Federal permits to the City Public Works Director prior to issuance of any City permits.
6. The Sub-divider shall provide and pay for all engineering and surveying necessary to design and construct the Improvements. The Sub-divider shall pay for all other engineering and surveying necessary to design and construct other improvements to the property.
7. The Developer, and or their contractor or designee, shall provide the saddle for connection to the public water main. Saddles shall be brass or

bronze with a stainless steel strap. All brass/bronze construction shall also be permitted.

8. The Sub-divider shall install stormwater treatment facilities (i.e. permeable pavement) in the islands in the cul-de-sac prior to City acceptance of the Improvements.

INSTALLATION AND MAINTENANCE

1. Prior to the issuance of building permits, the Sub-divider shall install all Improvements as shown on approved engineering plans of said subdivision and the City Council shall have accepted by Resolution all Improvements.

2. The Sub-divider shall be responsible for the maintenance of the Improvements for a period of two years after acceptance thereof by the City, in accordance with the City specifications and policies.

3. The Sub-divider agrees to provide the City of Raymore "as-built" plans for all Improvements as indicated on the aforementioned plans. Said plans shall be considered a part of the Improvements, for the purpose of acceptance by the City.

4. Prior to acceptance of the Improvements a waiver of mechanic's lien shall be submitted to the City. The Sub-divider will indemnify and save the City harmless from all claims growing out of the lawful demands of subcontractors, laborers, workers, mechanics, and furnishers of machinery and parts thereof, equipment, tools, and all suppliers, incurred in the furtherance of the performance of the work. The Sub-divider shall, at the City's request, furnish satisfactory evidence that all obligations of the nature designated above have been paid, discharged or waived.

FEES, BONDS & INSURANCE

1. The Sub-divider agrees to pay to the City a 1% Plan Review Fee and 5% Construction Inspection Fee based on the project engineer's estimate or contract development costs of all Improvements as shown on approved engineering plans of said subdivision. The City Public Works Director shall review and determine that the costs, as presented, are reasonable. A list of these fees is provided in Attachment A.

2. The Sub-divider agrees to indemnify the City with a Certificate of Insurance as required in the Unified Development Code of the City of Raymore.

3. The Sub-divider agrees to furnish performance bonds as required in the Unified Development Code of the City of Raymore.

4. Prior to acceptance of Improvements within said subdivision, Sub-divider will provide a guarantee in the form of a Maintenance Bond that is satisfactory to the City Public Works Director. This guarantee shall be based on 50% of the cost of all Improvements shown on approved engineering plans and shall be for a period of two years after acceptance by the City.

5. The Sub-divider agrees to submit a street light plan for City approval and pay the cost of providing and installing the streetlights in accordance with the approved street light plan. The required street lights shall be installed and shall be operational prior to the acceptance of the Improvements for the subdivision.

6. The Sub-divider agrees to pay to the City a \$9 per acre fee for the placement and maintenance of outdoor warning sirens. The cost of these fees is provided in Attachment A.

7. Per Ordinance #20004, the license (excise) tax for building contractors will be charged at the time of building permits at the applicable rate at the time each building permit application is approved.

8. The Sub-divider, in the interest of the general health, welfare and safety of the Citizens of Raymore, agrees to have installed, at their cost, any traffic control devices determined to be necessary by City Staff (410.340). The technical specifications and design criteria are set forth in Public Works Department Policies 120 thru 122 and 129, Street Signage and Traffic Control Devices. The improvement must be installed prior to the City releasing any building permits.

DEVELOPMENT STANDARDS

1. The Sub-divder agrees that the following Development Standards apply to the lots contained within this phase of development:

Minimum Lot Area	4,500 sq. ft.
Minimum Lot Width	45 feet
Minimum Lot Depth	100 feet
Minimum Front Yard	30 feet
Minimum Rear Yard	30 feet
Minimum Side Yard (Interior)	5 feet
Minimum Side Yard (Exterior)	20 feet
Maximum Building Height	35 feet

Maximum Building Coverage	40%
---------------------------	-----

2. At the time of completion of a home on a lot, a site tree(s) shall be provided on the lot in accordance with Section 430.060 of the Unified Development Code.

PARKLAND DEDICATION, OPEN SPACE AND AMENITIES

The Sub-divider shall construct a ten foot (10') wide trail within the open-space area located along the western property lines of this phase of development. The trail shall be constructed as part of the public improvements for this phase, and accepted with all other improvements.

ADDITIONAL REQUIREMENTS

1. The Sub-divider agrees to comply with the regulations and policies of the utility companies having facilities within the City limits.
2. The Sub-divider agrees to install a five-foot (5') sidewalk along the north side of Hubach Hill Road as part of the public improvements.
3. The Sub-divider agrees to install a five-foot (5') sidewalk along the east and west sides of Brook Parkway as part of the public improvements.
4. The Sub-divider agrees to install a five-foot (5') sidewalk along Tract D, as well as the north side of Tract A and south side of Tract B to connect to Brook Parkway as part of the public improvements.
5. The Sub-divider agrees to install a landscape buffer strip compliant with Section 445.030(4) of the Unified Development Code within Tract C abutting Hubach Hill Road.

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 the Sub-divider must comply and does not in any way constitute prior approval of any future proposal for development.
2. The covenants herein shall run with the land described in this agreement and shall be binding and ensure to the benefit of the parties hereto and their successors or assigns and on any future and subsequent purchasers.
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 Sub-divider, the City may withhold approval of any or all building permits applied for in the subdivision, until breach or breaches has or have been cured.

5. This agreement shall be recorded by the Sub-divider and its covenants shall run with the land and shall bind the parties, their assigns and successors in interest and title.

6. Any provision of this agreement which is not enforceable according to law will be severed herefrom and the remaining provisions shall be enforced to the fullest extent permitted by law.

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. The Sub-divider hereby warrants and represents to the City as inducement to the City's entering into this Agreement, that the Sub-divider's interest in the Subdivision is as a fee owner.

9. The Sub-divider and City acknowledge the Memorandum of Understanding for Saddlebrook Subdivision, executed by both parties and approved by City Council on June 12, 2023 remains in effect.

10. 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:

If to the Sub-divider, at:

City Manager
100 Municipal Circle
Raymore, MO 64083

William H. Kennedy, III, Esq.
903 North 47th Street.
Rogers, AR 72756

11. The Sub-divider acknowledges that this plat will expire within one year of the date the Raymore City Council approves an ordinance approving **SADDLEBROOK 1ST FINAL PLAT**; and that failure for any reason to record the plat does not obligate the City to re-approve the plat no matter what improvements may have been completed in furtherance of the current plat known as **SADDLEBROOK 1ST FINAL PLAT**.

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

(SEAL)

THE CITY OF RAYMORE, MISSOURI

Jim Feuerborn, City Manager

Attest:

Erica Hill, City Clerk

Sub-divider – Signature

Printed Name

Sub-divider – Signature

Printed Name

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

Stamp:

Notary Public: _____

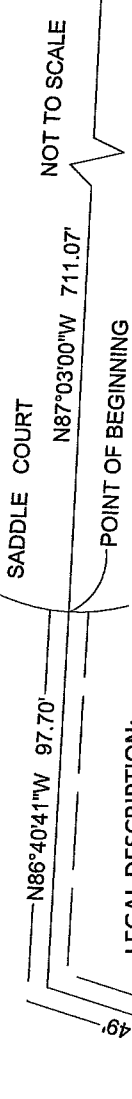
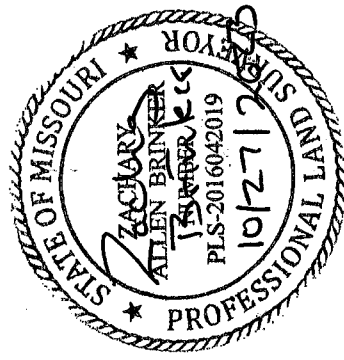
My Commission Expires: _____

Attachment A

FEE CALCULATION FOR SADDLEBROOK 1ST FINAL PLAT

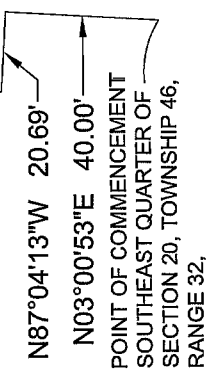
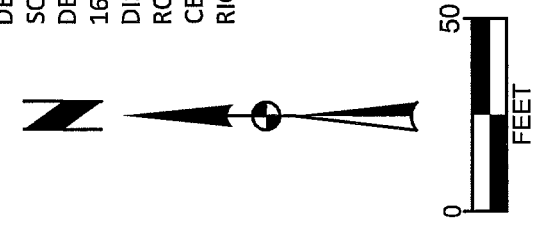
draft

PLAT OF DESCRIPTION

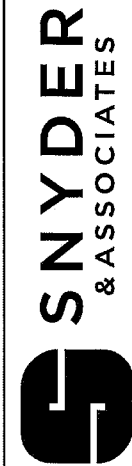


LEGAL DESCRIPTION:

ALL THAT PART OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 46, RANGE 32, IN THE CITY OF RAYMORE, CASS COUNTY, MISSOURI, LYING 5.00' ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 03 DEGREES 00 MINUTES 53 SECONDS WEST, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 40.00 FEET TO THE NORTH RIGHT OF WAY LINE OF HABACH HILL ROAD; THENCE NORTH 87 DEGREE 04 MINUTES 13 SECONDS WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 20.69 FEET; TO THE SOUTHWEST CORNER OF DUTCHMAN ACRES PHASE II, A SUBDIVISION OF LAND IN RAYMORE, CASS COUNTY, MISSOURI; THENCE NORTH 02 DEGREES 57 MINUTES 00 SECONDS EAST ALONG THE WEST LINE OF SAID DUTCHMAN ACRES PHASE II, A DISTANCE OF 214.65 FEET; THENCE NORTH 87 DEGREES 03 MINUTES 00 SECONDS WEST, A DISTANCE OF 711.07 FEET, TO THE WESTERLY RIGHT OF WAY OF SADDLE COURT AND THE POINT OF BEGINNING OF THE CENTERLINE HEREIN TO BE DESCRIBED; THENCE NORTH 86 DEGREE 40 MINUTES 41 SECONDS WEST, A DISTANCE OF 97.70 FEET; THENCE SOUTH 17 DEGREES 53 MINUTES 31 SECONDS WEST, A DISTANCE OF 86.49 FEET; THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT BEING TANGENT TO THE LAST DESCRIBED COURSE, HAVING A RADIUS OF 245.00 FEET AN ARC LENGTH OF 162.62 FEET; THENCE SOUTH 55 DEGREE 55 MINUTES 23 SECONDS WEST, A DISTANCE OF 27.79 FEET, TO THE NORTH RIGHT OF WAY LINE OF HABACH HILL ROAD SAID POINT ALSO BEING THE POINT OF TERMINATION OF THE CENTERLINE. SAID LIMITS SHALL BE LENGTHEN OR SHORTED TO INTERSECT THE RIGHT OF WAY LINES OF HABACH HILL ROAD AND SADDLE COURT.



N02°57'00"E 241.65'



SURVEYED FOR:
SADDLEBROOKE LLC.

SURVEYED BY:
Snyder & Associates, Inc.
201 NW 72ND STREET
GLADSTONE, MO 64118
(816) 436-0732
www.snyder-associates.com

BEARINGS ARE REFERENCED
TO THE MISSOURI STATE PLANE COORDINATE
SYSTEM

FN: 120.0839.11
DATE: 10-27-2023
REVISIONS:
REV1
REV2
REV3