

THE **PLANNING AND ZONING COMMISSION** OF THE CITY OF RAYMORE, MISSOURI, MET IN REGULAR SESSION **TUESDAY, APRIL 18, 2017** IN THE COUNCIL CHAMBERS OF CITY HALL, 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING COMMISSION MEMBERS PRESENT: CHAIRMAN WILLIAM FAULKNER, DON MEUSCHKE, KELLY FIZER, CHARLES CRAIN, LEO ANDERSON, JOSEPH SARSFIELD AND MAYOR KRISTOFER TURNBOW. ABSENT WAS ERIC BOWIE. ALSO PRESENT WERE COMMUNITY DEVELOPMENT DIRECTOR JIM CADORET, ASSOCIATE PLANNER DAVID GRESS, ASSISTANT PUBLIC WORKS DIRECTOR ED IEANS AND CITY ATTORNEY REPRESENTATIVE MIKE FLEMING.

1. **Call to Order** – Chairman Faulkner called the meeting to order at 7:00 p.m.
2. **Pledge of Allegiance**
3. **Roll Call** – Roll was taken and Chairman Faulkner declared a quorum present to conduct business.
4. **Personal Appearances** – None
5. **Consent Agenda**
 - A. **Acceptance of minutes of March 21, 2017 meeting.**

Motion by Commissioner Anderson, Seconded by Commissioner Fizer to accept the consent agenda.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Anderson	Aye
Commissioner Bowie	Absent
Commissioner Crain	Aye
Commissioner Fizer	Aye
Commissioner Meuschke	Aye
Commissioner Sarsfield	Abstain
Mayor Turnbow	Abstain

Motion passed 5-0-2.

6. **Old Business** – None
7. **New Business**

Chairman Faulkner indicated it was requested that since there are people in the audience for the 2nd case of new business that he would ask for a motion to change the order of new business on the agenda.

Motion by Commissioner Anderson, Seconded by Commissioner Meuschke to change the agenda for new business and hear Case #17013 first.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Anderson	Aye
Commissioner Bowie	Absent
Commissioner Crain	Aye
Commissioner Fizer	Aye
Commissioner Meuschke	Aye
Commissioner Sarsfield	Aye
Mayor Turnbow	Aye

Motion passed 7-0-0.

a. Case #17013 – 104 E. Olive Street - Waiver of Design Requirements

Justin Maynard, True Vision Construction LLC, presented his request to the Commission. Mr. Maynard indicated he is requesting a waiver from the design requirements for a home he is proposing to build at 104 E. Olive Street in the Original Town neighborhood. The home would have a front-loaded garage with the doors flush with the front of the home. The reason for the request is that the alley to the west of this home does not exist and there are power lines and landscaping in the alley right-of-way and it really limits what can be done to provide a drive there.

David Gress, Associate Planner, presented the staff report. Mr. Gress indicated the staff report includes site pictures that reflect there is not an alley existing at this time though right-of-way is present for an alley. The property to the west is zoned commercial with all other surrounding zoning being residential. The requirement requested to be waived is that the garage must be at least eight feet behind the front of the home, or the garage must be side-loading or rear-loading. The requirement came out of the Original Town Neighborhood Plan that was developed for the neighborhood.

Mr. Gress indicated the home that previously existed on the property was ordered by the City to be demolished and has been removed. The home occupied three narrow lots that fronted on Franklin Street. The property owner replatted the lots and created two lots with frontage off of Olive Street.

Mr. Gress stated the purpose of the Original Town Overlay District is to preserve and enhance the historic character of the neighborhood.

Mr. Gress stated the staff report does include pictures of the surrounding homes, including the home at 105 E. Olive Street, which is directly across the street from the subject property and contains a split level home that is similar to what is being proposed for the subject property.

Mr. Gress indicated that staff recommends the Commission deny the request to waive the design requirement.

Chairman Faulkner asked Mr. Fleming, who is standing in for City Attorney Jonathan Zerr this evening, of the appeal process for the request before the Commission this evening.

Mr. Fleming stated the appeal would be to the Circuit Court.

Jim Cadoret, Community Development Director, stated he agreed with Mr. Fleming. The Unified Development Code does not establish an appeal to City Council on the request currently being considered.

Mayor Turnbow asked staff for clarification on the Original Town Overlay District as to why a Good Neighbor meeting is not held as part of the request.

Mr. Cadoret stated the UDC is silent on requiring a Good Neighbor meeting or public hearing on a request of this nature. The Original Town Plan was a document that directed the establishment of the overlay district, but did not provide guidance on the procedures that would be utilized. Staff did not want to go beyond the authority and directive of the UDC and schedule a public hearing on the request before the Commission. The Commission could certainly direct staff at this point to notify neighbors of the request and hold a hearing.

Commissioner Fizer asked the applicant if there was a particular buyer for the home.

Mr. Maynard stated the original owner of the property contacted him for assistance. True Vision helped the owner tear down the house and has been working with the owner to create the two lots and build two homes. There is not a specific buyer for this home. The lot to the east at 106 E. Olive Street will have a side-entry garage.

Commissioner Sarsfield asked if the garage would be attached or a separate building.

Mr. Maynard stated the garage is attached to the home.

Chairman Faulkner commented that he drove through the neighborhood and observed that there is a lot of diversity of homes. There are homes with many different garages and some homes without garages. He indicated he observed many vacant lots with opportunities for new homes. He also indicated that the home across the street is a similar style home.

Mr. Maynard stated the house at 105 E. Olive is the same style of home, but our home will have stone and decorative windows on the garage door so it will have an upgraded appearance.

Mr. Gress agreed there is a large diversity of housing in the neighborhood. The design requirements were adopted to help guide new home construction and expressed concern on what will happen for new construction if this request is approved.

Commissioner Crain stated he agreed with Chairman Faulkner and wished there was a Good Neighbor meeting and to hear from the neighbors. Mr. Crain stated he would be in favor of tabling the request until we hear from the neighbors.

Chairman Faulkner agreed hearing from the neighbors would be helpful.

Mr. Cadoret stated that staff is working on the annual review of the UDC and staff will incorporate a change that would allow for a hearing in the future on this type of request.

Commissioner Crain stated we could allow the applicant to go to the neighbors and seek their input and provide that information back to the Commission.

Chairman Faulkner restated code language regarding the process the Commission is to take regarding the application under consideration.

Mr. Fleming advised the Commission to focus on the language of the code, including the word "may" which does provide some flexibility to the Commission.

Chairman Faulkner indicated the request before the Commission is a waiver, which is something the Commission does not want to do routinely. He stated the lot is adjacent to commercial to the west and the office building across the street to the west.

Commissioner Meuschke stated if the request is continued for two weeks it gives the applicant time to contact neighbors. He stated he favors giving the applicant time to contact the neighbors.

Mayor Turnbow asked why the property was divided for two homes rather than one house that met the standards.

Mr. Maynard stated the previous home was located on three lots. There were costs involved in demolishing the home that were unexpected since the original plan was to remodel the existing home. The property owner decided to create two lots to allow him to recoup his costs on the property.

Mr. Maynard stated the lot to the east will have a side entry garage.

Commissioner Anderson stated he did not hear of any actual hardship on this case. The proposed home is similar to the home at 105 E. Olive Street and thought it was critical for residents in the neighborhood to have some say on the request.

Chairman Faulkner asked staff if was in the purview of the Commission to table or continue the request to allow time for input from the neighbors.

Mr. Cadoret stated the Commission can direct staff to send out notices to neighbors and continue the request to the next meeting.

Chairman Faulkner asked Mr. Maynard how he wanted to proceed with the case.

Mr. Maynard stated he is in favor of gathering input from the neighbors.

Mayor Turnbow indicated a petition from the neighbors would be helpful to the Commission.

Commissioner Meuschke asked Mr. Maynard if he could provide a color rendering of the front facade of the building.

Mr. Maynard stated he built a similar home in Peculiar and could provide something for the Commission.

Motion by Commissioner Anderson, Seconded by Commissioner Meuschke, to continue Case #17013, 104 E. Olive Street - Waiver of Design Requirements, to the May 2 Planning and Zoning Commission meeting.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Anderson	Aye
Commissioner Bowie	Absent
Commissioner Crain	Aye
Commissioner Fizer	Aye
Commissioner Meuschke	Aye
Commissioner Sarsfield	Aye
Mayor Turnbow	Aye

Motion passed 7-0-0.

b Case #17007 – 2017 Annual Review of the Growth Management Plan (public hearing)

Chairman Faulkner opened the public hearing at 7:51 p.m.

Juan Grube, 110 N. Prairie Lane indicated he saw the public hearing notice and stated he was here for the GMP discussion.

David Gress presented the staff report. Staff does prepare an annual review and report for the GMP for discussion each April. Mr. Gress indicated there are five recommendations for action on the plan:

1. Incorporate goals and objectives identified in the new City Strategic Plan into the GMP.
2. Include an Existing Land Use Plan Map and update the undeveloped land use page in the GMP.
3. Update and revise the Future Land Use map in the GMP.
4. Propose an amendment to the Sign Code regarding the regulation of temporary signs throughout Raymore.
5. Update the Street Classification Map to reflect the changes to the realignment of Kentucky Road.

There were no public comments on the report.

Chairman Faulkner closed the public hearing at 8:01 p.m.

Mayor Turnbow asked if this case requires formal action by the Commission.

Chairman Faulkner stated yes, as acceptance of the 2017 annual review and guidance to the staff if any changes are desired.

Mayor Turnbow asked if there were elements of the City Strategic Plan that would impact the GMP.

Mr. Cadoret stated yes, and updates to the GMP are likely after formal adoption of the strategic plan.

Chairman Faulkner asked staff to provide an overview on why the City completes a GMP.

Mr. Cadoret stated the GMP provides the 40,000 foot view of how the residents desire the community to grow. The GMP provides guidance for land use decisions and future growth of the community.

Motion by Commissioner Crain, Second by Commissioner Sarsfield, to accept staff review of the 2017 annual review and report of the Growth Management Plan.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Anderson	Aye
Commissioner Bowie	Absent
Commissioner Crain	Aye
Commissioner Fizer	Aye
Commissioner Meuschke	Aye
Commissioner Sarsfield	Aye
Mayor Turnbow	Aye

Motion passed 7-0-0.

8. City Council Report

Mike Fleming gave the City Council report.

9. Staff Report

A. Planning Pipeline

Mr. Cadoret provided an overview of the upcoming cases to be considered by the Commission.

B. Engineering Report

Assistant Public Works Director Ed leans provided an update on the status of public works projects.

- Foxwood Water tower painting has started and work will take 6 to 8 weeks.
- Gore water line and meter vault will start this week and will be an 8 to 12 week project.

10. Public Comment

None.

11. Commission Member Comment

Commissioner Fizer: Glad to see the interest in development in the Original Town neighborhood.

Commissioner Anderson: Thanked staff and Mr. Fleming for its work.

Commissioner Crain: No comment.

Commissioner Meuschke: No comment.

Commissioner Sarsfield: No comment.

Mayor Turnbow: Thanked Mr. Berendzen for his service on the Commission; indicated he was accepting applications for the Ward 4 opening on the Commission; expressed excitement at the City receiving Gold Level recognition as a Community for All Ages; and thanked the Commission for its work.

Chairman Faulkner: Thanked staff and Mr. Fleming for the assistance to the Commission.

12. Adjournment

Motion by Commissioner Anderson, Seconded by Mayor Turnbow to adjourn the April 18, 2017 Planning and Zoning Commission meeting.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Anderson	Aye
Commissioner Bowie	Absent
Commissioner Crain	Aye
Commissioner Fizer	Aye
Commissioner Meuschke	Aye
Commissioner Sarsfield	Aye
Mayor Turnbow	Aye

Motion passed 7-0-0.

The April 18, 2017 meeting adjourned at 8:26 p.m.

Respectfully submitted,

Jim Cadoret