

THE **PLANNING AND ZONING COMMISSION** OF THE CITY OF RAYMORE, MISSOURI, MET IN REGULAR SESSION **TUESDAY, MAY 16, 2017** IN THE COUNCIL CHAMBERS OF CITY HALL, 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING COMMISSION MEMBERS PRESENT: CHAIRMAN WILLIAM FAULKNER, KELLY FIZER, CHARLES CRAIN, LEO ANDERSON, JOSEPH SARSFIELD, ERIC BOWIE (arrived at 7:02 p.m.), DON MEUSCHKE AND MAYOR KRISTOFER TURNBOW. ABSENT WAS MELODIE ARMSTRONG. 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 May 2, 2017 meeting.

Motion by Commissioner Anderson, Seconded by Commissioner Sarsfield to approve the consent agenda.

Vote on Motion:

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

Motion passed 6-0-1.

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

a. Case #17015 – Rezoning of Heritage Hills Lots 158 thru 175, R-1 to R-2 (pubic hearing)

Commissioner Bowie arrived at 7:02 p.m.

Brian Glen, P.E. with Phoenix Engineering, representing Ct Midland, LLC, presented the rezoning request to the Commission. Mr. Glen indicated the property owner is requesting to reclassify the zoning of these existing platted lots from R-1, Single Family Residential District to R-2, Single and Two-Family Residential District.

Associate Planner David Gress presented the staff report. Mr. Gress reviewed the site photographs, surrounding zoning and future land use map regarding the subject property. Mr. Gress entered into the record the mailed notices to the adjoining property owners; notice of publication; Unified Development

Code; application; Growth Management Plan; and staff report. Mr. Gress also reviewed the comments provided at the Good Neighbor meeting.

Mr. Gress indicated that staff recommends approval of the rezoning request.

Chairman Faulkner opened the public hearing at 7:15 p.m.

Joshua Anderson, 245 Jenny Lane, spoke to the Commission about his interest in having a buffer between any new homes and homes existing and proposed in Ramblewood. Mr. Anderson stated there is an existing tree row that he would like to have preserved.

Mr. Gress commented that the Commission could place a condition that any existing screening be preserved.

Commissioner Bowie asked for clarification on the existing screening.

Mr. Gress stated that there is a row of trees along the common property line between the subject property and Ramblewood that could be preserved to create a natural buffer. The trees are between ten and forty feet tall.

Chairman Faulkner closed the public hearing at 7:18 p.m.

Chairman Faulkner inquired as to whether the City had a tree preservation ordinance.

Community Development Director Jim Cadoret stated there is no current code requirement for tree preservation.

Chairman Faulkner stated the City was able to require tree preservation as part of the Culver's development, but understands it may not always be possible.

Commissioner Bowie asked what the applicant plans to do with the undeveloped land to the east of the subject property and whether the units will be rentals.

Mr. Gress indicated the property north of Pine Street that was recently rezoned and the subject property being considered tonight will contain rental properties under common ownership of the applicant. The properties will be managed by a property management company. Regarding the property to the east, this land is intended for development in a few years.

Commissioner Bowie asked about the HOA that was mentioned earlier in the meeting.

Mr. Gress stated the applicant is forming an association that will contain covenants for tenants that will be enforced by the property owner.

Commissioner Bowie asked if the applicant owned any other property in the City that they were managing.

Mr. Gress stated yes, they own units along Foxwood Drive north of the subject property and units near the fire station.

Sean Seibert, applicant, indicated his family does own units behind the fire station on Park Drive and have owned the units for 30 years.

Chairman Faulkner asked Mike Fleming, who is filling in for City Attorney Jonathan Zerr, questions regarding the HOA that was discussed, land to the east that is not part of the request, and clarification on the specific request being considered by the Commission.

Mr. Fleming stated that some of the ancillary information shared tonight is not germane to the rezoning application being considered. Mr. Fleming did state that the findings of fact have been addressed and the required information for a decision has been submitted.

Chairman Faulkner referenced a statement made during the discussion of the rezoning of the land to the north regarding the subject property being utilized for single family homes and wondered what had changed since then and why the request to change to R-2.

Mr. Seibert stated the subject property will still have some single family homes. The property to the east will have some single family on the north and south and thought that having PUD in the middle would be a good plan for that land.

Commissioner Anderson stated his concern is there is no master plan presented for all of the land the applicant owns.

Mr. Gress indicated that moving forward the applicant could submit a request to reclassify the zoning for the land to the east but that a master plan was not required to file the rezoning request.

Chairman Faulkner indicated that if we were starting from scratch with none of the land platted there would have been a preliminary plat for the area. The reality is that the subject property has already been platted. Mr. Faulkner reviewed the zoning history of the land and it has changed over time.

Commissioner Sarsfield asked if there is a required ratio of single and two-family units for the subject property.

Mr. Cadoret indicated the R-2 district does allow a mix of single-family and two-family homes, but there is no ratio limiting the maximum number of each dwelling type. There could be as few as 18 units or as many as 36 units on the subject property. Every lot could contain a two-family building.

Chairman Faulkner stated the development is market driven and the owner will build the unit types that are in demand at the time units are constructed.

Mayor Turnbow stated that when the land to the north was considered for rezoning it was supported in part because land to the north was already zoned R-2. This request appears to be zone creep and he is not willing to vote on a change without a plan for the future area.

Mr. Cadoret provided the Commission the history on the discussion staff had with the applicant prior to submittal of any applications for rezoning land they owned in the area and the reasoning staff was supporting the rezoning request.

Commissioner Anderson commented that having mixed zoning does add to some of the confusion and that it would be nice to see a plan for the entire property.

Chairman Faulkner reminded the Commission that it takes a minimum vote of five to either approve or deny the case.

Commissioner Fizer asked if both of the areas are owned by the applicant.

Mr. Gress stated yes.

Motion by Commissioner Anderson, Seconded by Mayor Turnbow, to deny the staff proposed findings of fact and forward case #17015 to the City Council with a recommendation of denial.

Vote on Motion:

Chairman Faulkner Aye

Commissioner Anderson	Aye
Commissioner Armstrong	Absent
Commissioner Bowie	Aye
Commissioner Crain	Aye
Commissioner Fizer	Nay
Commissioner Meuschke	Aye
Commissioner Sarsfield	Aye
Mayor Turnbow	Aye

Motion passed 7-1-0.

Commissioner Fizer stated that only 4% of the dwelling units in the City are two-family units and it is good to have a mixture of home types in the City.

8. City Council Report

Mike Fleming, City Attorney representative, gave the City Council report.

9. Staff Report

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

Assistant Public Works Director Ed leans provided an update on the following projects: Gore road water line extension; Foxwood Springs water tower; and the 2016 sidewalk and curb programs.

10. Public Comment

None

11. Commission Member Comment

Commissioner Anderson provided a review of his participation in the 2017 National Planning conference.

Mayor Turnbow indicated that both Kay Jeweler's and Panda Express are open and that Centerview is scheduled to open on June 16.

Chairman Faulkner thanked staff for its assistance.

12. Adjournment

Motion by Chairman Faulkner, Seconded by Commissioner Bowie to adjourn the May 16, 2017 Planning and Zoning Commission meeting.

Vote on Motion:

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

Motion passed 8-0-0.

The May 16, 2017 meeting adjourned at 8:10 p.m.

Respectfully submitted,

Jim Cadoret