

RAYMORE PLANNING AND ZONING COMMISSION AGENDA

Tuesday, November 21, 2017 - 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. Acceptance of Minutes from October 3, 2017 meeting
 - b. Case #17031 Westbrook at Creekmoor 13th Final Plat
6. Old Business - None
7. New Business
 - a. Case #17029: Rezoning of Cumberland Plaza Lots 1-4; C-1 to C-2 (public hearing)
 - b. Case #17030: Rezoning of Good Ranch Tract 1; AG to C-3 (public hearing)
 - c. Case #17033: 26th Amendment of the Unified Development Code (public hearing)
8. City Council Report
9. Staff Report
10. Public Comment
11. Commission Member Comment
12. Adjournment

Any person requiring special accommodation (i.e. qualified interpreter, large print, hearing assistance) in order to attend this meeting, please notify the City Clerk at (816) 331-0488 no later than forty-eight (48) hours prior to the scheduled commencement of the meeting.

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 Community Development 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.
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 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 3, 2017** IN THE COUNCIL CHAMBERS OF CITY HALL, 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING COMMISSION MEMBERS PRESENT: CHAIRMAN WILLIAM FAULKNER, ERIC BOWIE (arrived at 7:15 p.m.), KELLY FIZER, JOSEPH SARSFIELD, MELODIE ARMSTRONG, DON MEUSCHKE, AND MAYOR KRIS TURNBOW. ABSENT WAS LEO ANDERSON AND CHARLES CRAIN. ALSO PRESENT WERE COMMUNITY DEVELOPMENT DIRECTOR JIM CADORET, ASSOCIATE PLANNER DAVID GRESS, AND CITY ATTORNEY GEORGE KAPKE.

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 September 19, 2017 meeting.**

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

Vote on Motion:

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

Motion passed 6-0-0.

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

A. Case #17028 - Cunningham at Creekmoor Pool Site Plan

Steve Warger, representing Cooper Land Development, presented the site plan for the pool facility at Cunningham at Creekmoor. Mr. Warger stated the pool is on Grandshire and would be the pool for the east side of the Creekmoor Development. We have addressed all staff comments and will work with staff to resolve the screening requirement on the site.

Associate Planner David Gress presented the staff report. Mr. Gress indicated the site plan is compliant with the applicable requirements of the Unified Development Code. Public utilities have been provided to the site. There is no specific requirement for parking at the site but 23 spaces have been provided. Screening for adjacent properties will be provided.

Chairman Faulkner asked for clarification on the street names utilized on the site plan drawings.

Mr. Gress indicated that the correct street name adjacent to the site is Grandshire.

Commissioner Bowie arrived at 7:15 p.m.

Chairman Faulkner asked about the offset of the parking entrance drive to the pool and Turnberry Lane.

Mr. Warger stated the pool is only open for 3 months of the year and would have minimal vehicular traffic as it serves the immediate neighborhood. The offset is minimal and there is not enough traffic there to create a concern.

Commissioner Bowie asked why there were 23 spaces in the lot.

Mr. Warger indicated that the 23 spaces fit well on the site. There are no minimum requirements. There will be on-street parking available as well. A lot of users of the pool will walk to the site. Larger pool parties would be held at the main subdivision pool at the clubhouse.

Mr. Gress stated Public Works Director Mike Krass reviewed the site plan, noted the offset, but did not have any concerns with the offset.

Mayor Turnbow asked about the pavilion that is provided and if parking is sufficient to not only the pool but a party at the pavilion.

Mr. Warger stated the intent of the pavilion is for shade for pool visitors. This will not be the primary site for larger parties so parking should not be an issue.

Motion by Mayor Turnbow, Seconded by Commissioner Meuschke, to accept the staff proposed findings of fact and approve Case #17028, Cunningham at Creekmoor Pool Site Plan, subject to the conditions as outlined in the staff report.

Vote on Motion:

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

Motion passed 7-0-0.

b. Discussion Item - UDC amendments - Solar Energy; Accessory Dwelling Units; Animals on Residential Lots

Community Development Director Jim Cadoret stated that the Commission completed the annual review of the Unified Development Code in June and at that time there were three items the Commission requested staff complete additional research on.

The first of those items concerned the keeping of animals on residential lots. Staff proposed a simple clarification of code in June. Staff was not proposing to allow the keeping of animals, and specifically chickens, on all residential lots. Staff proposed allowing chickens and fowl in the R-1 district on lots of at least three acres in size.

Commissioner Bowie asked for clarification on the proposal from staff. He asked if the minimum lot size would be three acres, with a limit of animals per acre.

Mr. Cadoret stated yes, there is a limit of number of animals per acre.

Mayor Turnbow asked what the growing interest is in the community for allowing this.

Mr. Cadoret stated this proposal only allows the keeping of chickens on 3 acre lots, not on all residential lots. There are a number of R-1 lots of over 3 acres and thought it would be fair to allow the keeping of chickens on these lots. Staff does not support the keeping of chickens of lots smaller than 3 acres.

Chairman Faulkner expressed interest in keeping the code language simple.

Commissioner Sarsfield spoke in favor of the keeping of chickens on smaller residential lots. He stated there could be a limit on the number of animals kept. He stated chickens are smaller than most dogs and are more quiet.

Commissioner Meuschke asked about the keeping of pot-bellied pigs, miniature horses, or similar animals.

Mr. Cadoret stated there are exceptions allowed under the animal control code.

Mr. Faulkner remembered that residents have previously approached the City on the keeping of chickens on smaller lots.

Commissioner Armstrong commented that codes she has looked at has addressed standards of care for keeping of smaller animals.

Mr. Cadoret stated current code does not, but if the City is to allow chickens on smaller lots than there should be minimum standards provided.

Commissioner Armstrong stated if the City is to allow chickens on smaller lots that the care standards should be presented as well. She asked what concerns staff has on allowing chickens on smaller lots.

Mr. Cadoret stated the principal concern is on what most residents would expect to be allowed on small lots in urban subdivisions. Most individuals would not think a neighbor could keep 4 chickens on a small subdivision lot. There are concerns on the impacts on surrounding residents, such as attraction of predators and sanitary conditions of the property. Additional concern is on what happens after the hen is no longer able to lay eggs. There are numerous studies that have stated the effects that chickens have when kept on residential properties.

Commissioner Bowie asked why the 3 acre limit on R-1 properties.

Mr. Cadoret stated that chickens are allowed in RE zoned areas, which is a 3 acre minimum lot size. For consistency staff wanted to allow chickens on R-1 zoned lots of at least 3 acres.

Commissioner Meuschke stated when he moved into Raymore he was looking for an HOA and subdivision rules. He agrees with staff and stated that when he move into a subdivision he did not expect that his neighbors could have chickens. If I wanted chickens, or my neighbor to have chickens, then I would have stayed in the country.

Commissioner Sarsfield stated he thought only a few homeowners would want to keep chickens so he did not think it would be prevalent throughout the City.

Chairman Faulkner asked for a show of hands on three separate questions. First, if you want to leave Code alone and not change it all. No Commissioners raised their hand.

Second, if you want to add R-1 greater than 3 acres to the list of where chickens can be allowed. 5 Commissioners raised their hands.

Third, if you want to allow chickens on smaller acreage properties. 2 Commissioners raised their hands.

Chairman Faulkner indicated there is support to add R-1 of at least 3 acres but there is not support to go beyond that.

Mr. Gress presented information on allowing accessory dwelling units. There would be three code sections modified in the UDC to provide alternative housing options in Raymore, specifically accessory dwelling units on residential zoned lots. We would define attached and detached accessory dwelling units; would modify the use table by allowing the units in defined residential districts; and establish design guidelines for the units.

Commissioner Bowie asked about the requirement that the property owner be an occupant on the property.

Mr. Gress stated this would prevent the entire property from being a rental property. The idea is that the accessory dwelling unit is provided as a residence for a family member needing some level of care.

Commissioner Sarsfield expressed concern on the potential height of an accessory dwelling unit.

Mr. Gress stated the code as proposed would limit the height of the unit to the height of the existing home on the lot.

Mayor Turnbow asked the impact of restrictive covenants on the permitting process.

Mr. Cadoret stated that staff does not administer or enforce restrictive covenants.

Chairman Faulkner asked for a show of hands if there is support to proceed with an amendment. Five commissioners expressed support to proceed with an amendment. Commissioner Armstrong stated she did not see the need for the code and thought the proposal was overly restrictive. Commissioner Sarsfield stated there were unanswered questions on the specifics of the code.

Mr. Gress presented information on amending language in the UDC regarding solar energy systems. Staff specifically looked at the requirements for roof mounted systems. The proposal would allow solar energy systems on any roof of the home.

Chairman Faulkner asked about the impacts on commercial properties and screening requirements.

Mr. Gress stated there are requirements to screen the ancillary components of the solar energy systems.

Chairman Faulkner asked for a show of hands on whether to proceed with an ordinance to amend the current requirements. All seven commissioners expressed support to proceed. Screening of units on commercial buildings will not be a requirement.

8. City Council Report

Mr. Kapke gave the City Council report.

9. Staff Report

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

10. Public Comment

None

11. Commission Member Comment

Mayor Turnbow thanked Mr. Sarsfield for his service on the Planning and Zoning Commission.

Commissioner Sarsfield thanked the Commission for allowing him to serve.

Commissioner Fizer commented on the Arts Commission Paint and Sip event. She thanked Commissioner Sarsfield for his service to the Commission.

Commissioner Armstrong thanked staff for its work and thanked Commissioner Sarsfield.

Commissioner Meuschke stated he liked the new City logo.

Commissioner Bowie thanked Commissioner Sarsfield for his work on the Commission.

Chairman Faulkner thanked staff and Mr. Kapke for their work.

12. Adjournment

Motion by Mayor Turnbow, Seconded by Commissioner Meuschke to adjourn the October 3, 2017 Planning and Zoning Commission meeting.

Vote on Motion:

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

Motion passed 7-0-0.

The October 3, 2017 meeting adjourned at 9:04 p.m.

Respectfully submitted,

Jim Cadoret



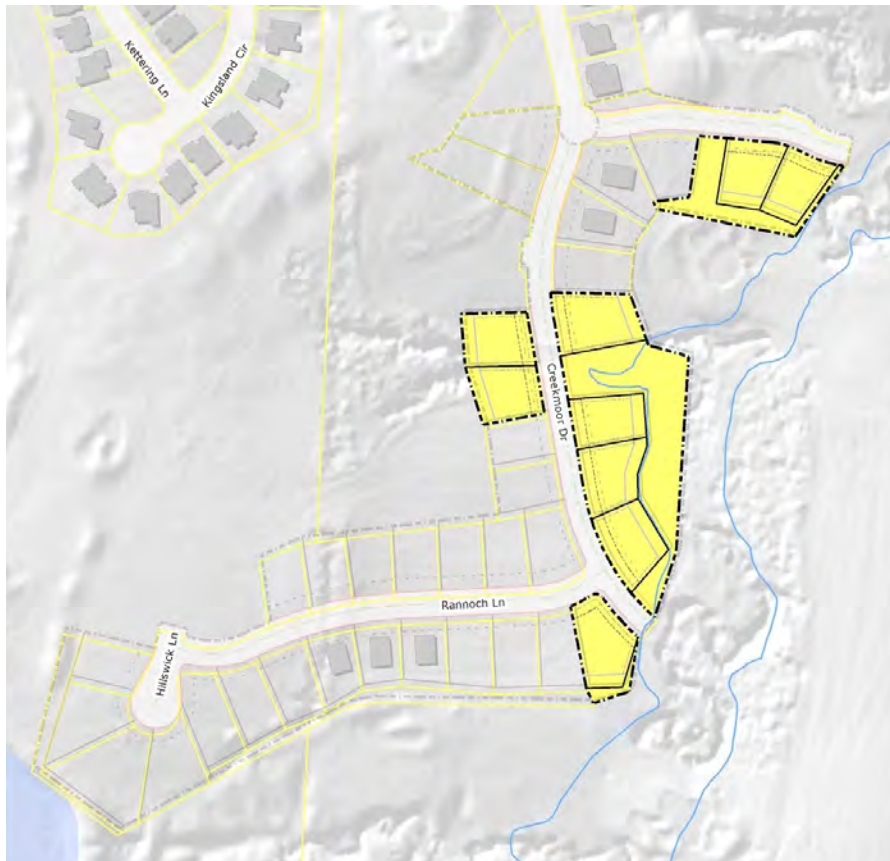
To: Planning and Zoning Commission
From: City Staff
Date: November 21, 2017
Re: Case #17031 - Westbrook at Creekmoor
Thirteenth Final Plat - Lots 336 thru
340, 363, 364, 369 and 370, and Tracts
JJ, KK and LL

GENERAL INFORMATION

**Applicant/
Property Owner:** Cooper Land Development, Inc.
903 N. 47th Street
Rogers, AR 72756

Property Location: Eastern terminous of Creekmoor Drive, between Hampstead Drive and Rannoch Lane

2016 Aerial Photograph:



Existing Zoning: "PUD" Planned Unit Development

Existing Surrounding Zoning: **North:** "PUD" Planned Unit Development
South: "PUD" Planned Unit Development
East: "PUD" Planned Unit Development
West: "PUD" Planned Unit Development

Existing Surrounding Uses: **North:** Single Family Residential
South: Single Family Residential
East: Undeveloped
West: Golf Course

Total Tract Size: 4.473 acres

Total Number of Lots: 9

Density – units per Acre: 2.01

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

Major Street Plan: The Major Thoroughfare Plan Map classifies Creekmoor Drive as a Minor Collector. Hampstead Drive and Rannoch Lane are classified as local streets.

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 Westbrook at Creekmoor Thirteenth Final Plat – Lots 336 through 340, 363, 364, 369 and 370, and Tracts JJ, KK, and LL

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 Preliminary Plan and Memorandum of Understanding (MOU) for Creekmoor were approved by City Council on January 26, 2004.
2. Westbrook at Creekmoor Twelfth Plat was recorded on April 17, 2017.

ENGINEERING DIVISION COMMENTS

In its attached memorandum 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 and proposed bulk and dimensional standards for the “PUD” Planned Unit Development Residential District zoning classification for the property is provided below:

Requirements	
Minimum Lot Area	
per lot	8,400 sq.ft.
per dwelling unit	8,400 sq.ft.
Minimum Lot Width (ft.)	70; 30 for cul-de-sac lots
Minimum Lot Depth (ft.)	100
Yards, Minimum (ft.)	
Front	25
rear	25
side corner	20
side	7.5
Maximum Building Height (feet)	35
Maximum Building Coverage (%)	30

2. The lots and tracts included in this plat were originally intended to be included as part of the Westbrook at Creekmoor 12th Plat. Due to their location in the floodplain, the lots were not included.
3. The developer obtained a Letter of Map Amendment (LOMA), removing the floodplain from the lots. LOMAs are issued when a property has been inadvertently mapped as being in the floodplain, but is actually on natural high ground above the base flood elevation.

STAFF 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 Development Plan 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.

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>
Public Hearing	November 21, 2017	November 27, 2017	December 11, 2017

STAFF RECOMMENDATION

Staff recommends that the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case #17031 Westbrook at Creekmoor Thirteenth Final Plat to the City Council with a recommendation of approval.

Memorandum

TO: Planning and Zoning Commission
FROM: Michael Krass, Director of Public Works
DATE: November 15, 2017
RE: Westbrook 13th at Creekmoor Final Plat

The Public Works Department has reviewed the above referenced application and has determined the public facilities installed as part of Westbrook 12th at Creekmoor are adequate to serve this development.

FINAL PLAT

WESTBROOK AT CREEKMOOR- THIRTEENTH PLAT

LOTS 336 THROUGH 340, LOTS 363, 364, 369, AND 370, AND TRACTS JJ, KK AND LL
A SUBDIVISION IN RAYMORE, CASS COUNTY, MISSOURI
SECTION 4, TOWNSHIP 46 N, RANGE 32 W

NOTES:

1. THE FOLLOWING STANDARD MONUMENTATION WILL BE SET UPON COMPLETION OF CONSTRUCTION ACTIVITIES WITH THIS PLAT OR WITHIN 12 MONTHS OF THE RECORDING OF THIS PLAT, WHICHEVER IS EARLIER.

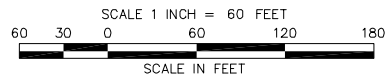
- SEMI-PERMANENT MONUMENTS:
1/2" IRON BAR WITH PLASTIC CAP STAMPED "ASC MLS 76D KLS 3" SET AT ALL REAR LOT CORNERS AND OTHER POINTS MARKED "s" ON THIS PLAT.
PERMANENT MONUMENTS:
5/8" IRON BAR WITH ALUMINUM CAP STAMPED "ASC MLS 76D KLS 3" SET AT CORNERS MARKED "▲" ON THIS PLAT.
CURB NOTCHES:
CURBS ARE NOTCHED AT THE PROLONGATION OF THE INTERIOR SIDE LOT LINES.

2. THE BEARINGS SHOWN ON THIS PLAT ARE BASED UPON THE "MISSOURI COORDINATE SYSTEM OF 1983", WEST ZONE, AT JACKSON COUNTY CONTROL MONUMENT JA-75 (1989 ADJUSTMENT) USING A GRID FACTOR OF 0.9998985.

3. THE PROPERTY SHOWN HEREON IS LOCATED IN ZONE "X" (UNSHADED), AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS SHOWN ON THE FLOOD INSURANCE RATE MAPS NO. 29037C0028F REVISED JANUARY 2, 2013 AND NO. 29037C0029F, REVISED JANUARY 2, 2013 AND FURTHER REVISED BY THE LOMR-P ON AUGUST 23, 2017, CASE NO. 17-07-1639A.

4. THE ABBREVIATION "MBE" SHOWN HEREON DENOTES MINIMUM BASEMENT ELEVATION.

5. THE ABBREVIATION "MLO" SHOWN HEREON DENOTES MINIMUM LOW OPENING ELEVATION.



RESERVED PROPERTY:
UNPLATTED AND
RESERVED FOR POSSIBLE
FUTURE DEVELOPMENT

POINT OF BEGINNING
LOTS 363 & 364
NORTHWEST CORNER LOT 362
WESTBROOK AT
CREEKMOOR TWELFTH PLAT

POINT OF BEGINNING LOTS
336, 370 & TRACT KK
NORTHEAST CORNER LOT 368
WESTBROOK AT CREEKMOOR
TWELFTH PLAT

RESERVED PROPERTY:
UNPLATTED AND
RESERVED FOR POSSIBLE
FUTURE DEVELOPMENT

RESERVED PROPERTY:
UNPLATTED AND
RESERVED FOR POSSIBLE
FUTURE DEVELOPMENT

Chart of "Grinder Pump Lots"
No lots on this plat are to be served by the low
pressure grinder system.

LEGEND

- SETBACK LINE
- - - UTILITY & DRAINAGE EASEMENT
- SUBDIVISION BOUNDARY
- ▲ 100 YEAR FLOOD POOL LINE
- COMBINATION BLDG SETBACK LINE & UTILITY/ DRAINAGE EASEMENT LINE

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT WE HAVE MADE A SURVEY OF THE PREMISES DESCRIBED HEREIN WHICH MEETS OR EXCEEDS THE CURRENT "MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS" AS ADOPTED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS AND I FURTHER CERTIFY THAT I HAVE COMPLIED WITH ALL STATUTES, ORDINANCES, AND REGULATIONS GOVERNING THE PRACTICE OF SURVEYING AND PLATTING OF SUBDIVISIONS, AND THAT THE RESULTS OF SAID SURVEY ARE REPRESENTED ON THIS PLAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

SHEET 2 OF 2

ANDERSON
SURVEY COMPANY
203 N. W. EXECUTIVE WAY
LEE'S SUMMIT, MISSOURI 64063
(816) 246-5050



To: Planning and Zoning Commission
From: City Staff
Date: November 21, 2017
Re: Case #17029 Rezoning; Cumberland Plaza, Lots 1 thru 4; C-1 to C-2

GENERAL INFORMATION

Applicant: City of Raymore, MO
100 Municipal Circle

Property Owner: **Carmen J. Carter** - Lot 1
Frank A. & Mary A. Ferro Trust - Lots 2 and 4
West Central Community Action Agency - Lot 3

Requested Action: Requesting to reclassify the zoning of 4 lots, roughly 2.9 acres from "C-1" Neighborhood Commercial District to "C-2" General Commercial District

Property Location: Northeast and northwest corners of the Highway 58 and Adams Street intersection



Site Photographs:



214-216 W. Walnut (Cumberland Plaza 1st, Lot 1)



210 W. Walnut (Cumberland Plaza 1st, Lot 2)

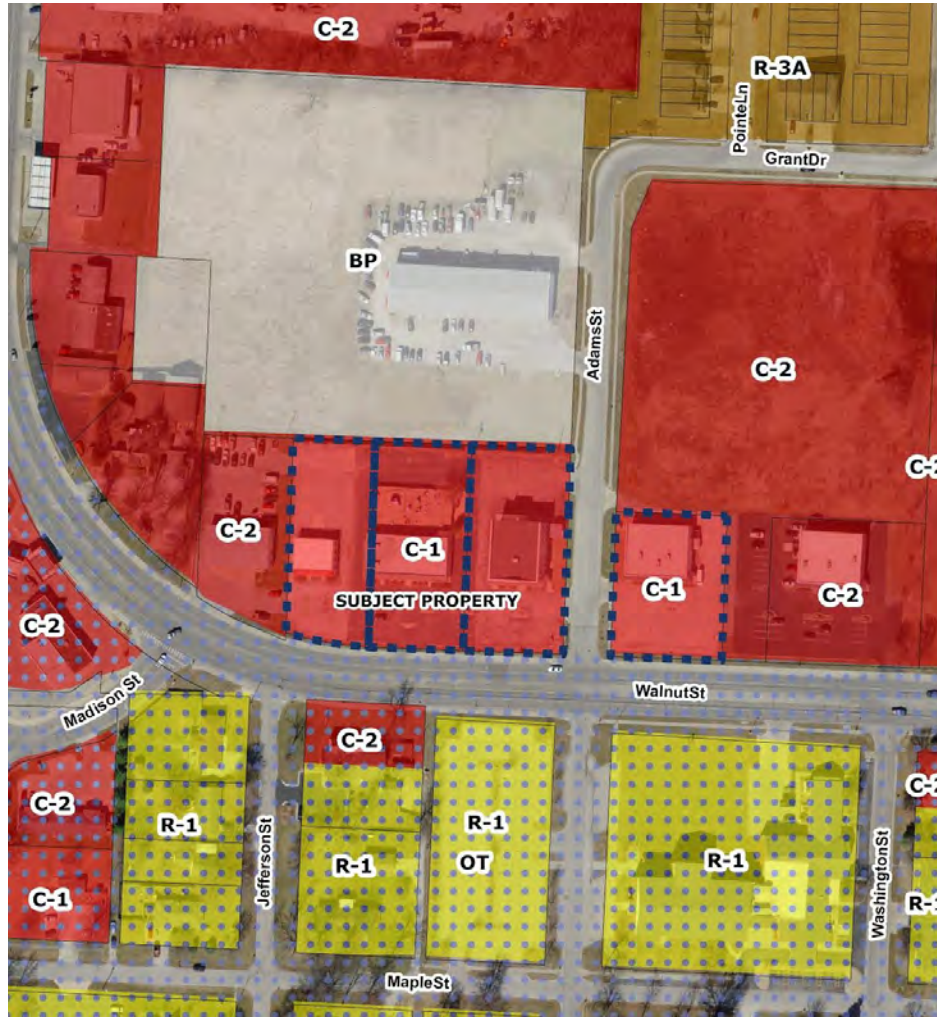


208 W. Walnut (Cumberland Plaza 1st, Lot 3)



118 W. Walnut (Cumberland Plaza 2nd, Lot 4)

Existing Zoning: C-1: Neighborhood Commercial District



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

Major Street Plan: The Major Thoroughfare Plan Map classifies Walnut Street (MO Highway 58) as a Major Arterial, and Adams Street as a Minor Collector.

Legal Description:
Cumberland Plaza 1st Plat; Lot 1
Cumberland Plaza 1st Plat; Lot 2
Cumberland Plaza 1st Plat; Lot 3
Cumberland Plaza 2nd Plat; Lot 4

Advertisement: November 2, 2017 **Journal** newspaper

Public Hearing: November 21, 2017 Planning Commission 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

REQUEST

Applicant is requesting to reclassify the zoning designation of 2.9 acres, generally known as Lots 1 thru 4 of Cumberland Plaza, from the current C-1: Neighborhood Commercial District to a C-2: General Commercial District

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 Cumberland Plaza 1st Plat (Lots 1-3) was recorded on August 29, 1997
2. The Cumberland Plaza 2nd Plat (Lot 4) was recorded on August 29, 1997
3. According to the staff report(s), when the lots 1 thru 4 were platted, they were originally zoned "C-2" Neighborhood Shopping Center District. As part of the final plat and site plan for the property, the developer requested rezoning to the "C-1" Neighborhood Commercial District. According to the staff report and minutes, that request was approved on June 3, 1997.

GOOD NEIGHBOR INFORMATIONAL MEETING COMMENTS

The Good Neighbor meeting was held on November 1, 2017. No residents attended.

STAFF COMMENTS

1. Several of the properties are currently occupied, or are in the process of being redeveloped. All of the uses that either currently exist, or are under development are permitted in both the “C-1” and “C-2” zoning districts.
2. In completing the research on these properties, staff noted several inconsistencies among the zoning classification of the properties over the last 10-15 years. The Official Zoning Map(s) available between 2000 and 2017 show intermittent changes in zoning between C-1 and C-2. Staff is unable to find a Resolution or Ordinance supporting those changes.
3. On January 12, 2004 the City adopted a new Official Zoning Map. To prepare the new map staff completed research of all ordinances approving zoning district designation changes. Since no ordinance was found that established the C-2 zoning designation for the properties, the zoning established by the adoption of the new zoning map was “C-1” Neighborhood Commercial District.
4. The properties were previously advertised by real estate brokers as having a “C-2” designation, rather than “C-1”. All uses that currently exist are permitted in both the “C-1” and “C-2” zoning districts.
5. The uses that are permitted on the “C-1” and “C-2” zoning districts are provided below.

Use	C-1	C-2	C-3	Use Standard
RESIDENTIAL USES				
Household Living				
Single-family Dwelling, Attached	-	-	-	Section 420.010A
Multi-family Dwelling (3+ units)	-	-	-	Section 420.010A
Cluster Residential Development	-	-	-	Section 420.010B
Manufactured Home Park	-	-	-	Section 420.010C
Dwelling Units Located Above the Ground Floor	P	P	P	
Group Living				
Assisted Living	C	P	P	
Group Home	-	-	-	Section 420.010E
Nursing Care Facility	C	P	P	
Transitional Living	C	C	-	
PUBLIC AND CIVIC USES				
College or University	-	C	C	
Cultural Exhibit or Library	C	C	C	
Government Buildings and Properties	C	C	C	
Hospital	C	P	P	
Place of Public Assembly	P	P	P	

Public Safety Services	P	P	P	
Religious Assembly	P	P	P	
School	P	P	P	
Social Club or Lodge	P	P	P	
Utilities				
Major	C	C	C	
Minor	P	P	P	
COMMERCIAL USES				
Adult Business	-	S	S	Section 420.030A Section 420.030B
Animal Services				
Kennel	-	C	C	Section 420.030E
Veterinary Services	P	P	P	
Art Gallery	P	P	P	
Banks and Financial Services				
Banks	P	P	P	
Payday Loan Store	-	C	C	Section 420.030D
Consumer Loan Establishment	-	C	C	Section 420.030D
Pawn Shop	-	C	C	
Body Art Services	-	C	C	
Business Support Service	P	P	P	
Construction Sales and Service	-	-	-	
Day Care				
Day Care Center	S	S	S	Section 420.030C
Eating and Drinking Establishment				
Restaurant	S	S	S	Section 420.030F
Tavern	C	C	C	
Entertainment and Spectator Sports				
Indoor	-	P	P	
Outdoor	-	C	C	

Use	C-1	C-2	C-3	Use Standard
Funeral and Interment Services				
Cremating	-	C	C	
Funeral Home	C	P	P	
Lodging				
Bed and Breakfast	S	S	S	Section 420.030H
Hotel or Motel	-	P	P	
Medical or Dental Clinic	P	P	P	
Office	P	P	P	
Personal and Consumer Service	P	P	P	
Retail Sales				
Large (100,000+ gfa)	-	-	S	Section 420.030G Section 420.030B
Small (up to 100,000 gfa)	S	S	S	Section 420.030B
Self Storage Facility	-	-	-	
Self Storage Facility, Indoor	-	S	S	420.030M
Sports and Recreation, Participant				
Outdoor	C	P	P	
Indoor	-	P	P	
Vehicle Sales and Service				
Car Wash	-	S	S	Section 420.030I
Gas Station	-	C	C	Section 420.030J
Motor Vehicle Repair	-	C	C	Section 420.030K
Light Equipment and Vehicle Sales or Rental	-	-	P	
Heavy Equipment Sales or Rental	-	-	C	
Vehicle, Recreational Vehicle or Boat Storage/Towing	-	-	-	

INDUSTRIAL USES				
Manufacturing, Production and Industrial Service				
Limited	-	-	-	
General	-	-	-	
Intensive	-	-	-	
Research Laboratory	-	-	-	
Trucking/Freight Terminal	-	-	-	
Warehousing and Wholesaling	-	-	-	
Waste-related Use				
Junkyard	-	-	-	
Recycling Facility	-	-	-	
Sanitary Landfill	-	-	-	
OTHER USES				
Accessory Uses	S	S	S	Section 420.050
Drive-through Facilities	-	S	S	Section 420.030L
Parking				
Accessory Parking	P	P	P	
Non-accessory Parking	C	C	C	
Wireless Communication Facility				
Freestanding	-	S	S	Section 420.040C
Co-located	S	S	S	Section 420.040C

6. Some uses are permitted in both “C-1” and “C-2” districts, and some are not. Uses that would be permitted under the new zoning designation that would otherwise not be permitted include:
 - a. Hotel or Motel;
 - b. Indoor sports and recreation;
 - c. Indoor entertainment and spectator sports;

STAFF PROPOSED FINDINGS OF FACT

Under Section 470.020 of the Unified Development Code, the Planning and Zoning Commission and City Council is directed concerning its actions in dealing with a rezoning request. Under 470.020 (G) (1) the Planning and Zoning Commission and City Council is directed to make findings of fact taking into consideration the following:

1. **the character of the surrounding neighborhood, including the existing uses and zoning classification of properties near the subject property;**

The character of the area surrounding the subject properties is primarily commercial. The lots surrounding the property to the east and west are zoned “C-2” General Commercial District”. The property directly to the north is zoned “BP” Business Park District”. A mix of “C-2” commercial and “R-10T” single family exist to the south in the Original Town neighborhood.

2. **the physical character of the area in which the property is located;**

The physical character of the area in which the subject properties are located

is a mix of developed and undeveloped land. Developed properties are generally one-story commercial buildings. The topography is mostly flat.

3. consistency with the goals and objectives of the Growth Management Plan and other plans, codes and ordinances of the City of Raymore;

The request for rezoning is consistent with the goals and objectives of the Growth Management Plan, as well as all other codes and ordinances of the City of Raymore

4. suitability of the subject property for the uses permitted under the existing and proposed zoning districts;

The area is well-suited for the uses permitted under the existing and proposed zoning districts.

5. the trend of development near the subject property, including changes that have taken place in the area since the subject property was placed in its current zoning district;

The buildings on the subject properties are the original structures that were built in 1997. The property located at 208 W. Walnut (Lot 3), was recently purchased and is currently under redevelopment. A large housing development is currently under development in the Heritage Hills subdivision to the north, which will provide several one and two-family homes.

6. the extent to which the zoning amendment may detrimentally affect nearby property;

The proposed zoning amendment will not have any detrimental effects to nearby properties. The properties are surrounded by commercial development to the east and west, and an undeveloped tract of land to the north. A mix of single family and commercial development exists to the south.

7. whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;

Public facilities are adequate to serve the subject property. Public facilities would be adequate to serve development allowed by the requested zoning map amendment.

8. the suitability of the property for the uses to which it has been restricted under the existing zoning regulations;

The properties are suitable for the uses in which they have been restricted.

9. the length of time (if any) the property has remained vacant as zoned;

The subject properties have been developed since 1997 when the properties were originally platted.

10. whether the proposed zoning map amendment is in the public interest and is not solely in the interests of the applicant; and

The proposed zoning map amendment is the public interest. It would provide a much more cohesive area, as far as zoning is concerned, and would allow a slight increase in flexibility for future tenants.

11. the gain, if any, to the public health, safety and welfare due to the denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.

There would be no gain to the public health, safety and welfare due to the denial of the application. The property is already zoned "C-1", so the owner(s) of the building(s) could continue to provide commercial services in the area. The change in zoning would only allow a slight increase in flexibility for future tenants.

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 21, 2017	December 11, 2017	January 8, 2018

STAFF RECOMMENDATION

The subject properties, when originally platted in 1996, were zoned "C-2" Neighborhood Shopping Center District. The original developer rezoned the properties from C-2 to C-1 as part of a larger development for the Cumberland Plaza area. Because that development was never fully realized, we are left with an inconsistency in zoning among surrounding commercial properties. Rezoning the subject properties to a "C-2" General Commercial classification would create a cohesive commercial environment for current and future development of the area.

City Staff recommends that the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case #17029, Rezoning of Cumberland Plaza 1st and 2nd Plats, Lots 1 thru 4 to the City Council with a recommendation of approval.

Memorandum

TO: Planning and Zoning Commission
FROM: Michael Krass, Director of Public Works
DATE: November 15, 2017
RE: Cumberland Plaza Rezoning from C-1 to C-2

The Public Works Department has reviewed the above referenced application and has determined the public facilities serving this development are adequate to serve the property under the proposed rezoning.



To: Planning and Zoning Commission
From: City Staff
Date: November 21, 2017
Re: Case #17030 Rezoning; Good Ranch Tract 1 AG to C-3

GENERAL INFORMATION

Applicant: City of Raymore, MO
100 Municipal Circle

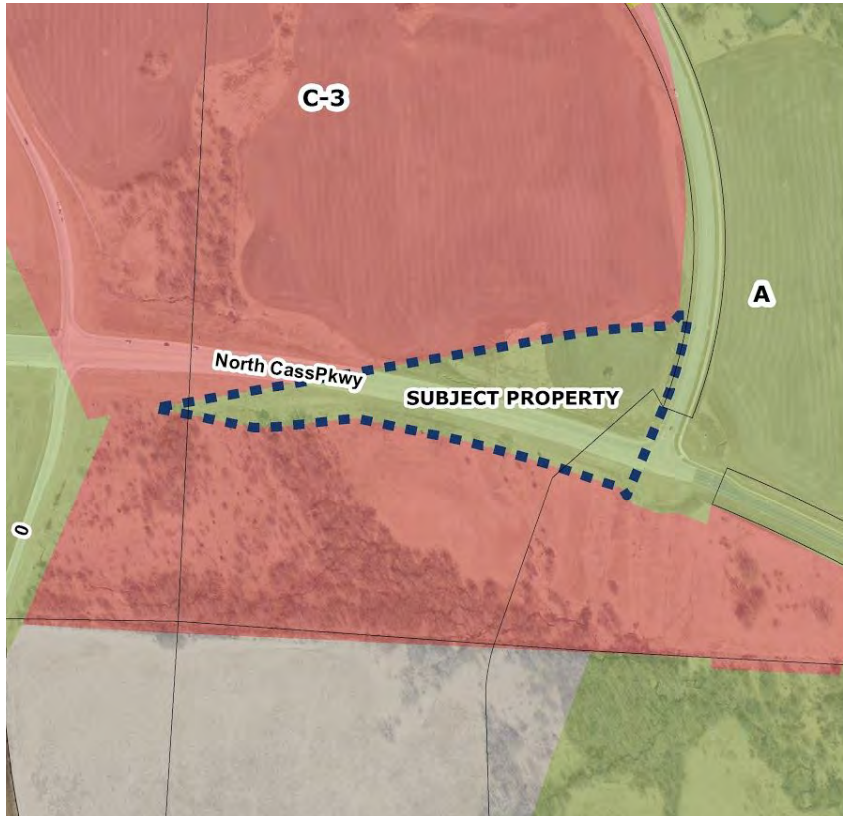
Property Owner: Good-Otis, LLC
1464 Techny Road
Northbrook, IL 60062

Requested Action: Requesting to reclassify the zoning of 9.2 acres, commonly known as Tract 1 of the Good Ranch from "AG" Agricultural District to "C-3" Regional Commercial District.

Property Location: Generally located at the northwest intersection of Dean Avenue and North Cass Parkway.



Existing Zoning: AG; Agricultural District



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

Major Street Plan: The Major Thoroughfare Plan Map classifies Dean Avenue and North Cass Parkway as Minor Arterial roadways.

Legal Description: Good Ranch; Tract 1

Advertisement: November 2, 2017 **Journal** newspaper

Public Hearing: November 21, 2017 Planning Commission 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

REQUEST

Applicant is requesting to reclassify the zoning designation of 9.2 acres, located generally at the northwest intersection of Dean Avenue and North Cass Parkway from "AG" Agricultural District to "C-3" Regional Commercial District.

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 Memorandum of Understanding (MOU) for the Good Ranch development was approved by the City of Raymore on March 14, 1994.
2. The MOU was amended on December 27, 2010 to reflect the rezoning of Tracts 23, 24, and 25 from Single Family Residential to Business Park.

GOOD NEIGHBOR INFORMATIONAL MEETING COMMENTS

The Good Neighbor meeting was held on November 1, 2017. No residents attended.

STAFF COMMENTS

1. The request for rezoning is a result of the construction of North Cass Parkway. The current boundary of the "C-3" zoning district follows a previously proposed alignment of North Cass Parkway. As the road was designed and built, the alignment of the roadway shifted to the south.

2. Tract 1 of the Good Ranch was always intended to be zoned as “C-3”
3. Since Tract 1 was always intended to be zoned commercially, the rezoning request will not require an amendment to the approved MOU for the development.

STAFF PROPOSED FINDINGS OF FACT

Under Section 470.020 of the Unified Development Code, the Planning and Zoning Commission and City Council is directed concerning its actions in dealing with a rezoning request. Under 470.020 (G) (1) the Planning and Zoning Commission and City Council is directed to make findings of fact taking into consideration the following:

1. **the character of the surrounding neighborhood, including the existing uses and zoning classification of properties near the subject property;**

The character of the area surrounding the subject property is undeveloped land. The land area surrounding the subject property is currently zoned “C-3” Regional Commercial District.

2. **the physical character of the area in which the property is located;**

The physical character of the area in which the subject property is located is undeveloped land. The topography is generally flat.

3. **consistency with the goals and objectives of the Growth Management Plan and other plans, codes and ordinances of the City of Raymore;**

The request for rezoning is consistent with the goals and objectives of the Growth Management Plan, as well as all other codes and ordinances of the City of Raymore. This area was always intended to be zoned C-3 commercial, and is reflected as such in the Future Land Use map found in the Growth Management Plan.

4. **suitability of the subject property for the uses permitted under the existing and proposed zoning districts;**

The area is well-suited for the uses permitted under the existing and proposed zoning districts.

5. the trend of development near the subject property, including changes that have taken place in the area since the subject property was placed in its current zoning district;

No significant development has occurred near the subject property in some time. Single family homes are currently being constructed to the north and east of the property in the Stonegate and Meadowood subdivisions.

6. the extent to which the zoning amendment may detrimentally affect nearby property;

The proposed zoning amendment will not have any detrimental effects to nearby properties. The property is surrounded by commercially zoned land, and was always intended to be commercial.

7. whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;

Public facilities are adequate to serve the subject property. Public facilities would be adequate to serve development allowed by the requested zoning map amendment.

8. the suitability of the property for the uses to which it has been restricted under the existing zoning regulations;

The property is not well suited for the uses in which it has been restricted. Due to its small size, and such close proximity to a major intersection and other commercially zoned land, the property would be better suited for commercial uses.

9. the length of time (if any) the property has remained vacant as zoned;

The subject property has always been undeveloped.

10. whether the proposed zoning map amendment is in the public interest and is not solely in the interests of the applicant; and

The proposed zoning map amendment is in the public interest. This area was always intended to be zoned commercially.

11. the gain, if any, to the public health, safety and welfare due to the denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.

There would be no gain to the public health, safety and welfare due to the denial of the application. The property was always intended to be zoned as a "C-3" Regional Commercial District.

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 21, 2017	December 11, 2017	January 8, 2018

STAFF RECOMMENDATION

This area was always intended to be zoned as a commercial district. Once North Cass Parkway was designed and constructed, the City was left with a remnant tract of agricultural land. Rezoning this tract to a "C-3" designation will create a cohesive area of commercial land, and ensure that the entire Good Ranch development is zoned properly for future development.

City Staff recommends that the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case #17030, Rezoning of Good Ranch Tract 1 from "AG" Agricultural District to "C-3" Regional Commercial District to the City Council with a recommendation of approval.

Memorandum

TO: Planning and Zoning Commission
FROM: Michael Krass, Director of Public Works
DATE: November 15, 2017
RE: Good Ranch Tract 1 Rezoning from AG to C-3

The Public Works Department has reviewed the above referenced application and has determined the public facilities serving this development are adequate to serve the property under the proposed rezoning.



To: Planning and Zoning Commission
From: City Staff
Date: November 21, 2017
Re: **Case #17033: 26th Amendment to the UDC – Misc. from 2017 Annual Review**

GENERAL INFORMATION

Applicant: City of Raymore

Requested Action: 26th Amendment to the Unified Development Code – Miscellaneous items from 2017 Annual Review of UDC

Advertisement: November 2, 2017 **Journal** Newspaper

Public Hearing: November 21, 2017 Planning and Zoning Commission

Items of Record:

- Exhibit 1. Growth Management Plan
- Exhibit 2. Unified Development Code
- Exhibit 3. Notice of Publication
- Exhibit 4. Staff Report

TEXT AMENDMENT REQUIREMENTS

Chapter 470: Development Review Procedures outlines the applicable requirements for amending the text of the Unified Development Code.

Section 470.020 (B) states:

“...text amendments may be initiated by the City Council or the Planning and Zoning Commission”.

Section 470.020 (F) requires that a public hearing be held by the Planning and Zoning Commission and the City Council.

Section 470.020 (G) (2) states:

“In its deliberation of a request, the Planning and Zoning Commission and City Council must make findings of fact taking into consideration the following:”

1. whether such change is consistent with the intent and purpose of the Unified Development Code and plans adopted by the City of Raymore.
2. whether the proposed text amendment corrects an error or inconsistency in the code;
3. the areas which are most likely to be directly affected by such change and in what way they will be affected;
4. whether the proposed amendment is made necessary because of changed or changing conditions in the areas and/or zoning districts affected by it; and

5. whether the proposed text amendment is in the best interests of the City as a whole.

STAFF COMMENTS

1. The 26th Amendment to the Unified Development Code (UDC) is the result of discussions held by the Planning and Zoning Commission after completing its 2017 annual review of the UDC. At its October 3, 2017 meeting the Commission discussed the results of research completed by City staff on several topics and directed staff to submit the revisions proposed in the 26th amendment.
2. The 26th amendment to the UDC consists of five (5) separate revisions proposed to the UDC. The amendments are listed in the proposed ordinance as follows:

Staff recommends the following provisions of the UDC be amended for the reasons provided with each proposed change. Proposed new text is **highlighted**; deleted text is crossed out.

- **Revision 1:** Proposal clarifies code language related to the keeping of animals on residentially zoned lots in the City of Raymore

Section 405.040D of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

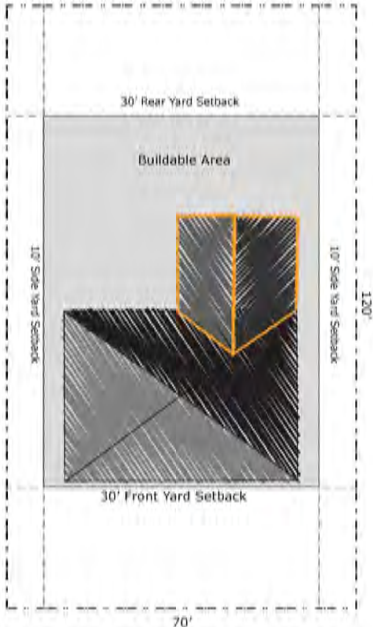
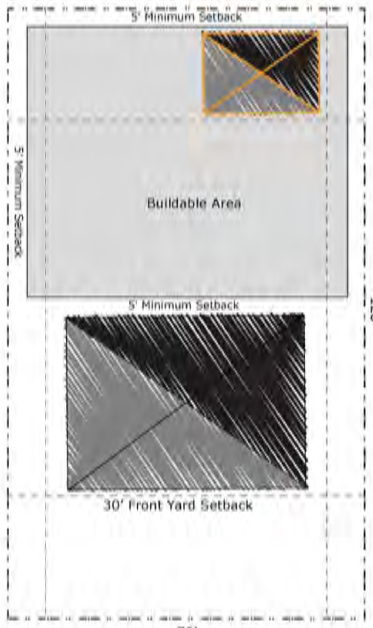
A. Keeping of Animals

1. Cattle, cows, horses, sheep, goats and similar ~~domestic~~ animals are permitted in the A and RE districts only.
2. Chickens and similar fowl are permitted in the A and RE districts, and in the R-1 district upon properties of at least three acres in size.
3. In the RE and R-1 (3-acre minimum lot size) district, maximum number of animals permitted per grazing acre, excluding building coverage, ponds and yard area around the principal dwelling, are:
 - a. 1 head of cattle; or
 - b. 2 sheep; or
 - c. 2 goats; or
 - d. 2 horses.

Limits for other animals not enumerated herein shall be determined based upon type or size of animal.

- **Revision 2:** Proposal adds definitions to clarify proposed code language regarding accessory dwelling units.

Section 485.010 of the Unified Development Code is hereby amended as follows:

Term	Definition
<p>Dwelling, Accessory, Attached</p>	<p>A type of accessory dwelling that is physically attached to, and/or located within, the existing structure on the lot.</p> 
<p>Dwelling, Accessory, Detached</p>	<p>A type of accessory dwelling unit that is built separate from the existing structure, or above an existing accessory structure such as a detached garage.</p> 

- **Revision 3:** Proposal would allow an accessory dwelling unit in most residential zoning districts provided that certain design and size requirements are met.

Section 405.020H of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Use	A	RE	RR	R-1A	R-1	R-1.5	R-2	R-3	R-3A	R-3B	PR	Use Standard
RESIDENTIAL USES												
Household Living												
—Accessory Dwelling	P	P	P	-	-	-	-	-	-	-	-	Section 420.050E
Accessory Dwelling, Attached	P	P	P	P	P	P	P	P	P	P	P	Section 420.050E
Accessory Dwelling, Detached	P	P	P	S	S	S	-	-	-	-	-	Section 420.050E

- **Revision 4:** Proposal establishes size and design requirements for accessory dwelling units.

Section 420.050E of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

E. Accessory Dwelling *(Amendment 18 – Ordinance 2014-006 2.10.14)*

All accessory dwellings must meet the following requirements:

1. There shall be only one accessory dwelling per lot
2. An accessory dwelling may be located within an existing residential structure or a detached structure.
3. ~~In RR zoning only, The accessory dwelling shall not exceed the square footage of the primary dwelling on the lot.~~
4. An accessory dwelling unit, attached or detached, shall be limited to 60% of the total square footage of the existing structure, but shall not exceed 1,000 square feet.
5. ~~In RR zoning only~~ An accessory dwelling structure shall not exceed the height or size of the primary existing structure on the lot.
6. An accessory dwelling shall comply with all requirements of the International One and Two-Family Dwelling Code adopted by the City of Raymore.
7. The accessory dwelling structure shall comply with all development standards for the applicable zoning district in which it is located.
8. Either the primary existing or accessory dwelling shall be occupied by the property owner at any time the accessory dwelling is occupied.

- a. Before a Certificate of Occupancy can be issued, the property owner must sign an agreement stating that they will maintain occupancy of either the existing structure, or the accessory dwelling. Such agreement shall be recorded with the Cass County Recorder of Deeds.
9. ~~If the accessory dwelling is located in an accessory structure, the units shall be connected to the public water main separate from the primary structure.~~ Detached accessory dwelling units shall be connected to the public water main utilizing the existing connection to the primary structure.
 10. ~~If the accessory dwelling is located in an accessory structure, and said structure is located within three hundred (300) feet of a public sanitary sewer line, then the dwelling must be connected to the sewer line.~~
 11. Detached accessory dwellings shall be connected to the to sanitary sewer line, or to an approved septic or similar system.
 12. The accessory dwelling unit shall be architecturally consistent with the design of the existing structure on the lot. Roof pitches, windows, doors, and other exterior finishes shall be designed to be compatible with the existing structure on the lot, to be determined by the Director of Community Development.
 13. The entrance to attached accessory dwelling units shall be subordinate to that of the existing structure, and shall be less visible from the street than the main entrance of the existing dwelling unit. Entrances to an attached accessory dwelling unit shall be located only in the side or rear yard of a property.
- **Revision 5:** Proposal clarifies code language related to new solar energy system installations in the City of Raymore.

Section 420.070(I) of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

A. Solar Energy Systems

Solar energy systems shall be a permitted accessory use in all districts subject to compliance with the following requirements:

1. ~~Roof-mounted systems located on front building roofs shall not project more than 24 inches perpendicular to the point on the roof where it is mounted.~~
2. ~~Roof-mounted systems shall not project above the ridge of a gabled or gambrel roof.~~
3. ~~Roof-mounted systems shall not project more than four feet above the deck or parapet of a flat or mansard roof. All mounting hardware shall be screened from view according to Section 430.120A.~~
4. ~~Ground-mounted systems shall not be located in any required yard.~~
5. ~~Ground-mounted systems on lots under 1 acre shall not be higher than 8 feet.~~
6. ~~Solar collectors designed as part of an accessory structure such as an awning or canopy shall~~

conform to the standards for that structure.

- ~~7. Appurtenant components must be located within an enclosed structure or screened according to Section 430.120.~~

1. Roof Mounted and Wall Mounted Solar Energy Systems:

- a. Roof mounted and wall mounted Solar Energy Systems may be mounted or located on a principal or accessory building.
- b. Roof-mounted systems located on front building roofs shall not project more than 24 inches perpendicular to the point on the roof where it is mounted.
- c. Roof-mounted systems shall not project above the ridge of a gabled or gambrel roof.
- d. The total height of any building equipped with an Solar Energy System shall not exceed more than 24 inches above the maximum building height specified for principal or accessory buildings within the applicable underlying zoning district.
- e. Applications for roof and wall mounted solar energy systems shall be accompanied by evidence and information regarding the strength of the structure in which the system will be attached.
- f. Construction, modification, and/or reinforcement of the structure in which the system will be attached must be in compliance with all applicable codes.
- g. Roof- mounted solar energy systems shall be accompanied by appropriate safety and warning signage

2. Ground Mounted Solar Energy Systems:

- a. In the front and side yard area, ground mounted solar energy systems must meet the minimum front and side yard setback for principal buildings within the underlying zoning district.
- b. In the rear yard, ground mounted solar energy systems must provide a minimum side and rear setback of 5 feet.
- c. Ground mounted solar energy systems are prohibited from encroaching into any approved utility easement or right-of-way, or, being placed within any stormwater management system.
- d. Freestanding ground mounted solar energy systems shall not exceed the maximum allowable building height within the applicable underlying zoning district.

- e. Total coverage of a lot with a ground mounted solar energy system shall not exceed fifty (50) percent of the lot, or the maximum allowable lot coverage for the underlying zoning district, whichever is less.
- f. The area beneath the ground mounted solar energy system is considered pervious. However, any use of impervious construction materials for the purposes of a foundation system is subject to the requirements found in Section 430.020A.
- g. Ground mounted solar energy systems shall be accompanied by appropriate safety and warning signage, and shall be safely secured to prevent unauthorized access or entry

STAFF PROPOSED FINDINGS OF FACT

Under Section 470.020 of the Unified Development Code, the Planning and Zoning Commission is directed concerning its actions in dealing with a request to amend the text of the Unified Development Code. Under 470.020 (G) (2) the Planning and Zoning Commission is directed to make findings of fact taking into consideration the following:

1. **whether such change is consistent with the intent and purpose of the Unified Development Code and plans adopted by the City of Raymore;**

Each of the proposed amendments are consistent with the identified purpose and intent of Section 400.040 of the Unified Development Code and with the Growth Management Plan.

2. **whether the proposed text amendment corrects an error or inconsistency in the code;**

The proposed sections of the ordinance do not correct an error or inconsistency.

3. **the areas which are most likely to be directly affected by such change and in what way they will be affected;**

The changes would affect properties throughout the City.

4. **whether the proposed amendment is made necessary because of changed or changing conditions in the areas and/or zoning districts affected by it; and**

The proposed amendments are generally not made necessary because of changed or changing conditions in the zoning districts. The amendments are proposed to clarify language in the code.

5. whether the proposed text amendment is in the best interests of the City as a whole.

The proposed amendments are intended to better clarify language in the code which would be in the best interests of the City as a whole.

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 21, 2017	January 8, 2018	January 22, 2018

STAFF RECOMMENDATION

Staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case #17033, 26th amendment to the UDC, to the City Council with a recommendation of approval.

ATTACHED ACCESSORY DWELLING UNITS

Where can an attached accessory dwelling unit be built?

Attached accessory dwelling units are permitted anywhere on the property, so long as they do not encroach the required front, side or rear yards as defined by section 405.030 of the Unified Development Code, or exceed the maximum allowable lot coverage for the underlying zoning district.

Accessory dwelling units may not be constructed within any recorded easements on the property.

What is the maximum size of an attached accessory dwelling?

The maximum size of an attached accessory dwelling unit can be determined two ways;

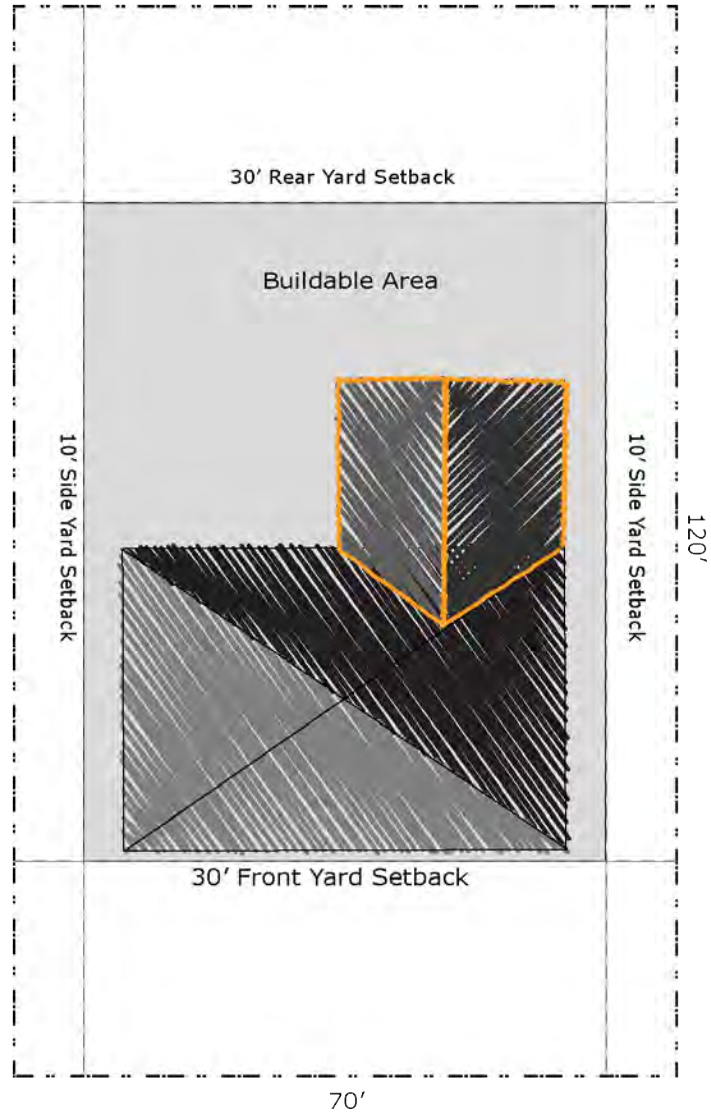
Maximum Allowable Lot Coverage:

Section 485.020(J) Building Coverage: Building coverage is measured as the percentage of lot area that is covered with principal and accessory buildings and above-grade structures. In the R-1 zoning district, maximum allowable lot coverage is generally 30%

Proposed Code Language

Section 420.050(E) Accessory Dwellings

The accessory dwelling unit shall be limited to 60% of the total square footage of the existing structure, or 1,000 square feet, whichever is less.



HOW IS THE CODE APPLIED?

Standard R-1 Lot: 8,400 Square feet
Average Home Size: 1,600 Square feet

Maximum Allowable Lot Coverage:

$$30\% (8,400 \text{ sqft.}) = 2,520 \text{ sqft} = \text{maximum lot coverage}$$

$$2,520 \text{ sqft.} - 1,600 \text{ sqft. (existing home)} = 920 \text{ sqft.}$$

Proposed Code Language:

60% of the existing structure, or 1,000 sqft, whichever is less

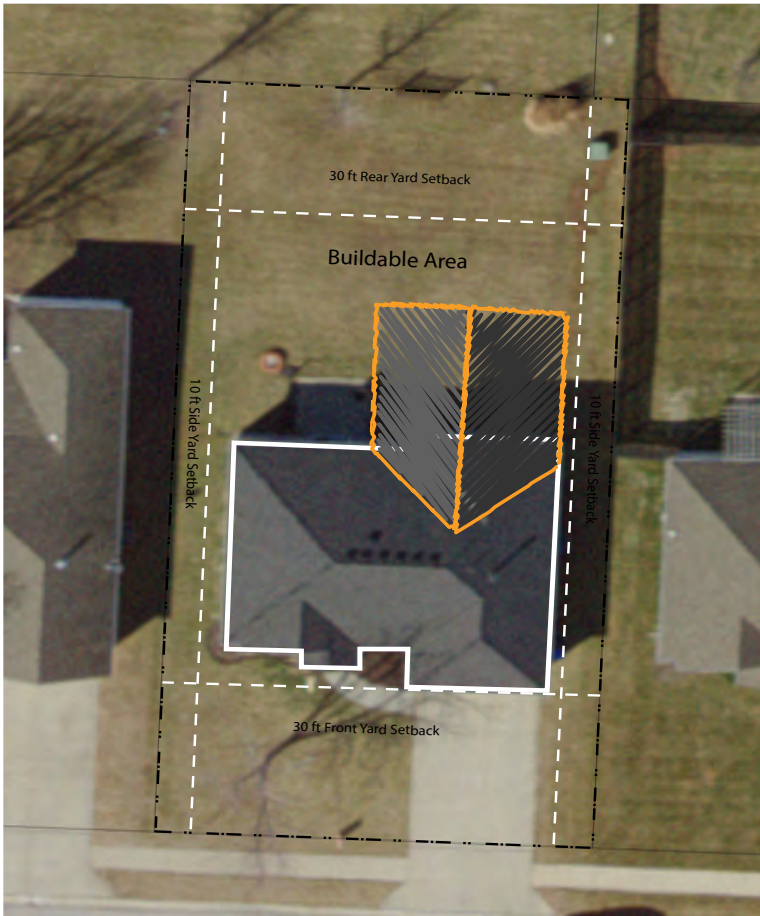
$$60\% (1,600 \text{ sqft.}) = 960 \text{ sqft.}$$

An attached accessory dwelling located on a standard 8,400 sqft lot, with an existing 1,600 sqft home is restricted to a size of no larger than 920 sqft.

Although the proposed code language would allow a 960 sqft. accessory dwelling, it would exceed the maximum allowable lot coverage for the R-1 zoning district

ATTACHED ACCESSORY DWELLING UNITS

HOW IS THE CODE APPLIED?



Typical R-1 Lot

Lot Size: 8,767 sqft.

Existing Home Size: 1,840 sqft

Maximum Allowable Lot Coverage:

30% (8,767 sqft.) = **2,630 sqft = maximum lot coverage**

2,630 sqft. - 1,840 sqft. (existing home) = **790 sqft.**

Proposed Code Language:

60% of the existing structure, or 1,000 sqft, whichever is less

60%(1,840 sqft.) = **1,104 sqft.**



R-1 Large Lot

Lot Size: 109,000 sqft.

Existing Home Size: 2,940 sqft.

Maximum Allowable Lot Coverage:

30% (109,000 sqft.) = **32,700 sqft = maximum lot coverage**

32,700 sqft. - 2,940 sqft. (existing home) = **29,760 sqft.**

Proposed Code Language:

60% of the existing structure, or 1,000 sqft, whichever is less

60%(2,940 sqft.) = **1,764 sqft.**

An attached accessory dwelling unit located on this 8,767 sqft. lot would be limited to a size of **790 sqft.**

An attached accessory dwelling unit located on this 190,000 sqft. lot would be limited to a size of **1,000 sqft.**

Detached Accessory Dwelling Units

Where can a detached accessory dwelling unit be built?

Detached accessory dwelling units are permitted in the rear yard of a property, provided that they maintain a minimum setback of 5 feet from all side and rear property lines, and all other existing structures on the property.

Accessory dwelling units may not be constructed within any recorded easements on the property.

What is the maximum size of a detached accessory dwelling?

The maximum size of a detached accessory dwelling unit can be determined three ways;

Maximum Allowable Lot Coverage:

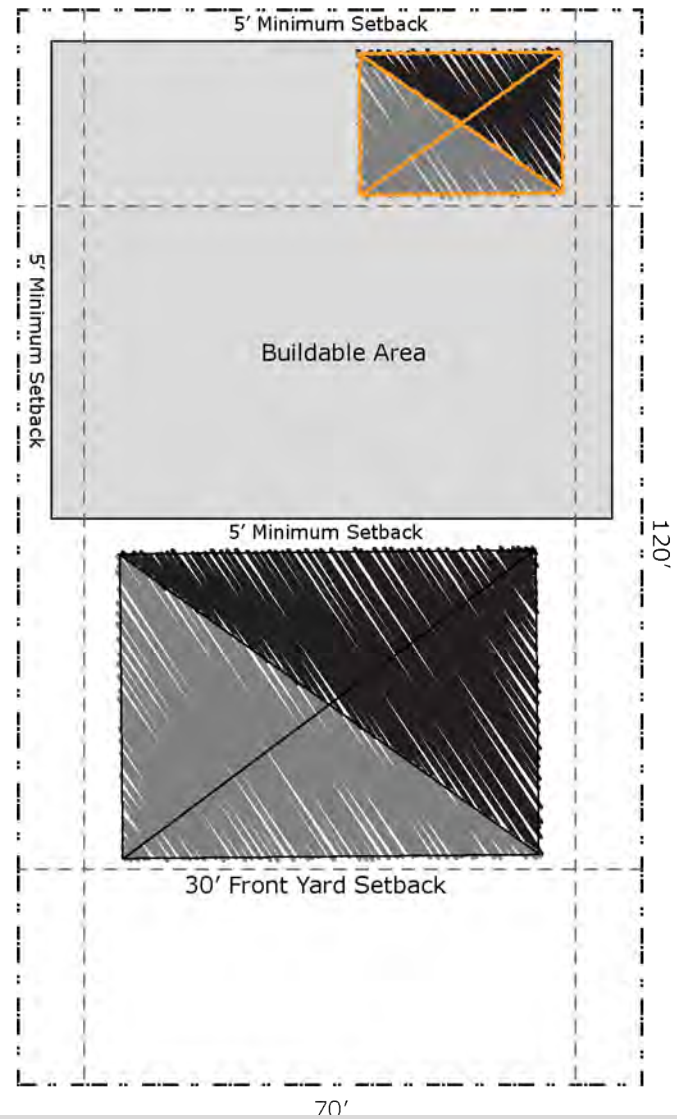
Section 485.020(J) Building Coverage: Building coverage is measured as the percentage of lot area that is covered with principal and accessory buildings and above-grade structures. In the R-1 zoning district, maximum allowable lot coverage is generally 30%

Maximum Allowable Lot Coverage for Accessory Structures:

Section 420.050(A) Accessory Uses and Structures
The total gross floor area of all accessory structures shall not exceed 8% of the lot coverage.

Proposed Code Language

Section 420.050(E) Accessory Dwellings
The accessory dwelling unit shall be limited to 60% of the total square footage of the existing structure, or 1,000 square feet, whichever is less.



HOW IS THE CODE APPLIED?

Standard R-1 Lot: 8,400 Square feet
Average Home Size: 1,600 Square feet

Maximum Allowable Lot Coverage:

$30\% (8,400 \text{ sqft.}) = 2,520 = \text{maximum lot coverage}$
 $2,520 \text{ sqft.} - 1,600 \text{ sqft. (existing home)} = 920 \text{ sqft.}$

Maximum Allowable Lot Coverage for Accessory Structures:

$8\% (8,400 \text{ sqft.}) = 672 \text{ sqft.}$

Proposed Code Language:

60% of the existing structure, or 1,000 sqft, whichever is less

$60\% (1,600 \text{ sqft.}) = 960 \text{ sqft.}$

A detached accessory dwelling located on a standard 8,400 sqft lot, with an existing 1,600 sqft. home is restricted to a size of no larger than 672 sqft.

Although the maximum allowable lot coverage would allow for a 920 sqft. unit, it would exceed the maximum allowable lot coverage for an accessory structure.

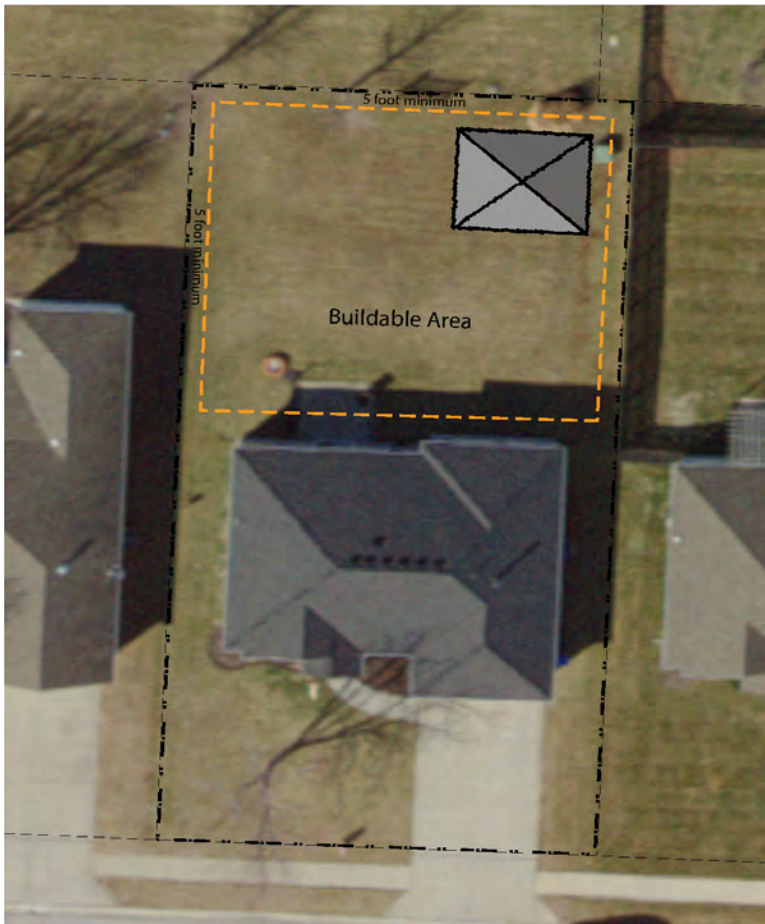
[section 420.050(A)]

The proposed code language would allow for a 960 sqft. unit, but that would exceed the maximum allowable lot coverage for the R-1 zoning district.

[section 420.050(A)]

DETACHED ACCESSORY DWELLING UNITS

HOW IS THE CODE APPLIED?



Typical R-1 Lot

Lot Size: 8,767 sqft.

Existing Home Size: 1,840 sqft

Maximum Allowable Lot Coverage:

30% (8,767 sqft.) = **2,630 sqft = maximum lot coverage**

2,630 sqft. - 1,840 sqft. (existing home) = **790 sqft.**

Maximum Allowable Lot Coverage for Accessory Buildings:

8% (8,767 sqft) = **701 sqft.**

Proposed Code Language:

60% of the existing structure, or 1,000 sqft, whichever is less

60%(1,840 sqft.) = **1,104 sqft.**

A detached accessory dwelling unit located on this 8,767 sqft. lot would be limited to a size of **701 sqft.**



R-1 Large Lot

Lot Size: 109,000 sqft.

Existing Home Size: 2,940 sqft.

Maximum Allowable Lot Coverage:

30% (109,000 sqft.) = **32,700 sqft = maximum lot coverage**

32,700 sqft. - 2,940 sqft. (existing home) = **29,760 sqft.**

Maximum Allowable Lot Coverage for Accessory Buildings:

8%(109,000 sqft.) = **8,720 sqft.**

Proposed Code Language:

60% of the existing structure, or 1,000 sqft, whichever is less

60%(2,940 sqft.) = **1,764 sqft.**

A detached accessory dwelling unit located on this 109,000 sqft. lot would be limited to a size of **1,000 sqft.**

MONTHLY REPORT OCTOBER 2017

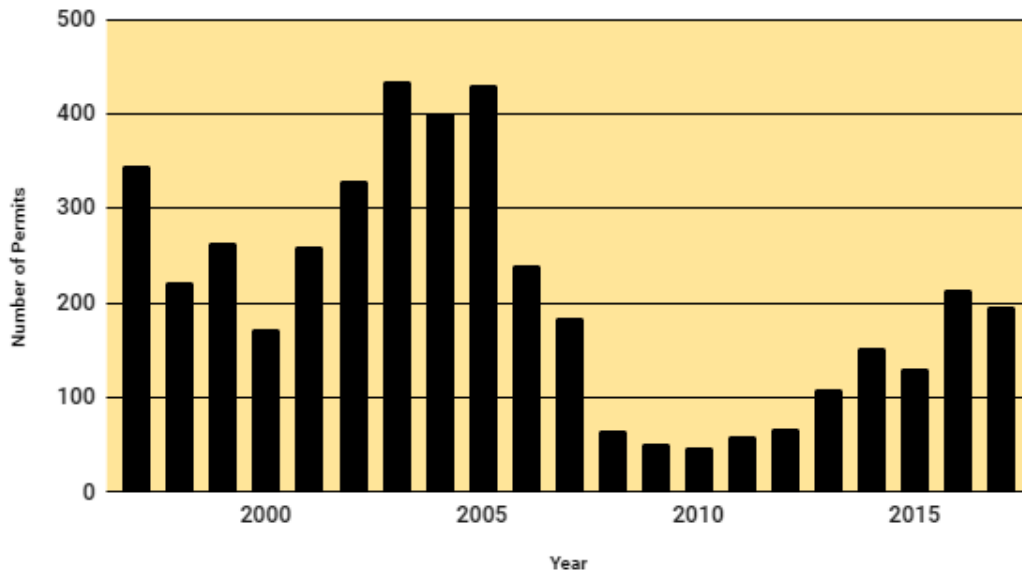
Building Permit Activity

Type of Permit	Oct 2017	2017 YTD	2016 YTD	2016 Total
Detached Single-Family Residential	12	156	160	201
Attached Single-Family Residential	20	40	14	14
Multi-Family Residential	0	20	0	0
Miscellaneous Residential (deck; roof)	42	408	408	458
Commercial - New, Additions, Alterations	5	31	18	26
Sign Permits	3	48	46	63
Inspections	Oct 2017	2017 YTD	2016 YTD	2016 Total
Total # of Inspections	612	5,851	5,280	6,354
Valuation	Oct 2017	2017 YTD	2016 YTD	2016 Total
Total Residential Permit Valuation	\$5,590,200	\$40,164,700	\$40,645,400	\$50,026,600
Total Commercial Permit Valuation	\$9,500	\$5,383,300	\$956,200	\$6,899,389

Additional Building Activity:

- Construction continues on five multi-family buildings in the Remington Village subdivision on the west side of Foxridge Drive, south of Granada Drive. The development will mirror the buildings on the east side of Foxridge Drive.
- Building construction commenced for the proposed Discover Vision Center building to be located at 1018 W. Foxwood Drive.
- Foundation, slab and underground utility work is ongoing at the Recreation Activity Center in Recreation Park

Single Family Building Permits



Code Enforcement Activity

Code Activity	Oct 2017	2017 YTD	2016 YTD	2016 Total
Code Enforcement Cases Opened	25	434	335	424
<i>Notices Mailed</i>				
-Tall Grass/Weeds	6	150	219	227
- Inoperable Vehicles	1	72	29	42
- Junk/Trash/Debris in Yard	8	62	28	65
- Object placed in right-of-way	1	18	4	7
- Parking of vehicles in front yard	3	79	21	48
- Exterior home maintenance	1	40	15	16
- Other (trash at curb early; signs; etc)	5	13	19	19
Properties mowed by City Contractor	4	59	63	68
Abatement of violations (silt fence repaired; trees removed; stagnant pools emptied; debris removed)	0	7	1	1
Signs in right-of-way removed	74	313	198	299
Violations abated by Code Officer	7	82	n/a	12

Development Activity

Current Projects

- City initiated rezoning for northwest corner of Dean Avenue and North Cass Parkway and for 118, 208, 210 and 214-216 W. Walnut Street to correct inconsistencies in the zoning map
- Variance application filed by Brian Wade for property located at 1706 Quail Court in the Foxhaven subdivision. Request is to allow a privacy fence in the front yard area of a corner lot.

	As of Oct 31, 2017	As of Oct 31, 2016	As of Oct 31, 2015
Homes currently under construction	269	230	202
Total number of Undeveloped Lots Available (site ready for issuance of a permit for a new home)	442	655	781
Total number of dwelling units in City	8,142	7,922	7,742

Actions of Boards, Commission, and City Council

City Council

October 9, 2017

- Approved on 1st reading the reimbursement agreement with Good-Otis LLC for the construction of Fox Ridge Drive to connect with Dean Avenue in the Meadowood Subdivision
- Confirmed the City will install sidewalk on four undeveloped lots

October 16, 2017 work session

- Staff presented design concept plans for construction of relocated Kentucky Road

October 23, 2017

- Approved on 2nd reading the FY 2018 City Budget
- Adopted the 2018-2022 Capital Improvement Program

Planning and Zoning Commission

October 3, 2017

- Approved the site plan for the Cunningham at Creekmoor swimming pool
- Discussed a possible UDC amendment for solar energy; animals on residential lots, and accessory dwelling units

October 17, 2017

- Meeting cancelled

Upcoming Meetings – November & December

November 7, 2017 Planning and Zoning Commission

- Meeting cancelled - election day

November 13, 2017 City Council

- No development applications currently scheduled

November 21, 2017 Planning and Zoning Commission

- Reclassification of zoning of northwest corner of Dean Avenue and North Cass Parkway
- Reclassification of zoning of 118, 208, 210, 214-216 W. Walnut Street
- Westbrook at Creekmoor 13th Plat

November 27, 2017 City Council

- 1st reading - Westbrook at Creekmoor 13th Plat

December 5, 2017 Planning and Zoning Commission

- No applications currently scheduled

December 11, 2017 City Council

- 2nd reading - Westbrook at Creekmoor 13th Plat
- 1st reading - reclassification of zoning of northwest corner of Dean Avenue and North Cass Parkway
- 1st reading - reclassification of zoning of 118, 208, 210 and 214-216 W. Walnut Street

December 19, 2017 Planning and Zoning Commission

- No applications currently scheduled

December 25, 2017 City Council

- Christmas! - No meeting

Department Activities

- Staff continued work efforts in compiling information necessary to submit an application in November for recognition as a Walk Friendly Community.
- Building inspector Ty Erickson obtained certification as a Residential Plumbing Inspector from the International Code Council
- Director Jim Cadoret and Associate Planner David Gress attended the Missouri Chapter of the American Planning Association conference in St. Louis

- Building Official Jon Woerner attended the Missouri Association of Code Administrators in Lake Ozark. Mr. Woerner was elected as a Board member.
- Code Enforcement Officer Christian Neal attended the American Association of Code Enforcement conference in Hebron, Kentucky
- Staff held a summit with other City departments and with affected property owners regarding the proposed extension of the road west of Firestone to connect with Kentucky Road. This project is funded as part of the voter-approved General Obligation Bond program.

GIS Activities

- Addressing operations
- Update of public asset inventories & boundaries approved
- Creation of sheet layouts for print task to include data disclaimer
- Mapping of trailhead locations as requested by Marc
- Addition of tabs to Story Map template to include additional points of interest
- Printing of wall maps
- Support for planning activities as requested
- Requests for information, data & illustrations
- Delivery of geospatial data to developers & consultants
- Marc KC Metro GIS & technical committee tasks