

THE **PLANNING AND ZONING COMMISSION** OF THE CITY OF RAYMORE, MISSOURI, MET IN REGULAR SESSION **TUESDAY, NOVEMBER 21, 2017** IN THE COUNCIL CHAMBERS OF CITY HALL, 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING COMMISSION MEMBERS PRESENT: CHAIRMAN WILLIAM FAULKNER, KELLY FIZER, LEO ANDERSON, MARIO URQUILLA, DON MEUSCHKE, AND MAYOR KRIS TURNBOW. ABSENT WERE ERIC BOWIE, MELODIE ARMSTRONG, AND CHARLES CRAIN. ALSO PRESENT WERE COMMUNITY DEVELOPMENT DIRECTOR JIM CADORET, ASSOCIATE PLANNER DAVID GRESS, PUBLIC WORKS DIRECTOR MIKE KRASS, ASSISTANT PUBLIC WORKS DIRECTOR GREG ROKUS AND CITY ATTORNEY JONATHAN ZERR.

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 October 3, 2017 meeting.**
 - b. **Case #17031 Westbrook at Creekmoor 13th Final Plat**

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

Vote on Motion:

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

Motion passed 6-0-0.

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

A. Election of Officers

Mayor Turnbow asked for a reading of the current officers.

Chairman Faulkner stated the current officers are:

Chairman: William Faulkner
Vice Chairman: Kelly Fizer
Secretary: Charles Crain

Motion by Commissioner Anderson, Seconded by Mayor Turnbow to keep the existing officers in place for the next year.

Vote on Motion:

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

Motion passed 6-0-0.

B. Case #17029 - Rezoning of Cumberland Plaza Lots 1-4; C-1 to C-2 (public hearing)

Associate Planner David Gress presented the staff report. Mr. Gress indicated the request is to reclassify the zoning of 4 lots commonly known as 118, 208, 210 and 214-216 W. Walnut Street. Staff identified these 4 lots as having a zoning designation that was not consistent with surrounding property. The surrounding commercial lots are zoned C-2. The interest of staff on this request is to reclassify the zoning of these 4 lots to C-2. Each property owner was notified and no objections have been filed. The request does require a public hearing that was advertised with neighbors notified. Staff requested the following exhibits be entered into the record: Mailed notices to adjoining property owners; notice of publication; Unified Development Code; application; Growth Management Plan; and the staff report.

Mr. Gress stated that a Good Neighbor meeting was held but no neighbors attended. Staff recommends approval of the reclassification of zoning.

Public hearing opened at 7:13 p.m.

No public spoke.

Public hearing closed at 7:13 p.m.

Commissioner Anderson commented that he was glad to see a cleanup of the kaleidoscope of zoning in the area.

Mr. Gress stated that staff saw the opportunity to make the zoning in the area more cohesive.

Chairman Faulkner commented on the history of zoning in the area and the research that staff did to verify the current zoning of the lots.

Commissioner Fizer asked what the differences in allowed uses are between the C-1 and C-2 districts.

Mr. Gress identified that there are only 3 additional uses allowed in the C-2 district: Hotel, indoor sports and recreation; and indoor entertainment.

Motion by Commissioner Anderson, Seconded by Commissioner Meuschke, to accept the staff proposed findings of fact and forward Case #17029, Rezoning of Cumberland Plaza Lots 1-4, to the City Council with a recommendation of approval.

Vote on Motion:

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

Motion passed 6-0-0.

C. Case #17030 - Rezoning of Good Ranch Tract 1; A to C-3 (public hearing)

Associate Planner David Gress presented the staff report. Mr. Gress indicated the request is to reclassify the zoning of 9.2 acres located on the northwest corner of Dean Avenue and North Cass Parkway. The surrounding commercial area is zoned C-3. The interest of staff on this request is to reclassify the zoning of this sliver of agricultural zoning to regional commercial to match the surrounding zoning. The sliver of zoning was created when the final design of North Cass Parkway was shifted to the south. The property owner was notified and no objections have been filed. The request does require a public hearing that was advertised with neighbors notified. Staff requested the following exhibits be entered into the record: Mailed notices to adjoining property owners; notice of publication; Unified Development Code; application; Growth Management Plan; and the staff report.

Mr. Gress stated that a Good Neighbor meeting was held but no neighbors attended. Staff recommends approval of the reclassification of zoning.

Public hearing opened at 7:22 p.m.

No public spoke.

Public hearing closed at 7:22 p.m.

Motion by Commissioner Fizer, Seconded by Commissioner Urquilla, to accept the staff proposed findings of fact and forward Case #17030, Rezoning of Good Ranch Tract 1, to the City Council with a recommendation of approval.

Vote on Motion:

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

Motion passed 6-0-0.

D. Case #17033: 26th Amendment to the Unified Development Code - (public hearing)

Community Development Director Jim Cadoret presented the staff report on the application. Mr. Cadoret indicated that an amendment to the text of the Unified Development Code requires a public hearing. He entered for the record the Growth Management Plan, Unified Development Code, the

notice of publication, and the staff report. He stated at its October 3, 2017 meeting the Commission discussed the results of research completed by staff on several topics and directed staff to prepare this proposed amendment.

Mr. Cadoret reviewed proposed revision #1, which proposes to clarify language related to the keeping of animals on residential lots in Raymore. The request would amend current code language to specify chickens and fowl and to allow these animals in the A and RE districts and upon property zoned R-1 that are at least 3 acres in size.

Mr. Gress presented proposed revision #2, a proposal to add two definitions: Accessory Dwelling, Attached; and Accessory Dwelling, Detached.

Mr. Gress presented proposed revision #3, which would amend the use table by identifying those zoning districts wherein attached accessory dwelling units and detached accessory dwelling units are allowed. Attached units would be allowed in all residential zoning districts. Detached units would be allowed in the A, RE, RR, R-1, and R-1A districts only.

Mr. Gress presented proposed revision #4, which establishes the size and design requirements for accessory dwelling units.

Mr. Gress presented proposed revision #5 which would clarify code language related to new solar energy system installations in the City.

Mayor Turnbow asked if the code included a prohibition on systems being installed on the front roof of a home or business.

Mr. Gress commented that the proposal would allow solar energy systems on the front roof of a home or business.

Public hearing opened at 7:49 p.m.

Peggy and Mike Phillips, 608 Loran Lane, spoke regarding proposed revision #1. They indicated that the issue of chickens on residential lots has been discussed before and that they are against allowing these animals in the rear yard of residential homes. Her concern is on enforcement and the burden this would have on animal control officers. She has no problem on allowing these animals on lots that are greater than 3 acres in size.

Kara Ince, 212 W. Heritage Drive, spoke regarding revision #1. She indicated she lives in a subdivision and is in support of allowing chickens on small residential lots. She had chickens at one time but Code Enforcement told her they were not allowed and she had to get rid of them. She believes chickens provide benefits to her children. If the property is taken care of, the chickens would not be a burden. Several local communities do allow chickens on smaller lots.

Susan Dooley, 606 Condor Street, spoke regarding revision #1. She too had chickens at one time and Code Enforcement made her remove them. She indicated she brought the issue before City Council but there was not support to change the code. She indicated Lee's Summit does allow chickens on smaller lots. She is in support of allowing chickens on smaller lots.

Melody Woo, 801 S. Franklin Street, spoke regarding revision #1. She has had good experiences with Animal Control officers. She indicated she would like to have the option of having chickens on her lot. If granny flats are to be allowed, then chickens should be allowed as well.

Public hearing closed at 8:01 p.m.

Commissioner Urquilla asked if there is a requirement on the maximum number of chickens allowed per acre in the A and RE districts.

Mr. Cadoret stated the code does not distinguish a maximum number, but there are national standards available for what is a reasonable maximum number.

Chairman Faulkner commented that revision #1 is an incremental change that is proposed. He provided a brief review of past discussions the Commission has had on the topic.

Commissioner Anderson asked how many times staff has been contacted by residents on the issue of whether chickens are allowed.

Mr. Cadoret stated he receives a few calls each month on the issue.

Commissioner Anderson stated that while he appreciates knowing what other communities are doing, Raymore stands on its own merits and character. He does not believe there is a public outcry on the issue.

Commissioner Urquilla commented that this issue can be brought forward later for further consideration.

Motion by Mayor Turnbow, Seconded by Commissioner Urquilla, to accept the staff proposed findings of fact and forward Case #17033, 26th Amendment to the Unified Development Code, with a recommendation of approval.

Commissioner Anderson made a motion to amend the original motion, Seconded by Mayor Turnbow, to exclude revision #1 from the case.

Vote on Amended Motion:

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

Motion failed 4-2-0.

Chairman Faulkner made a motion to amend the original motion, Seconded by Commissioner Anderson, to remove proposed change under Section 405.040A2 under revision #1.

Mr. Cadoret clarified for the Commission that removing the language contained in A2 would not change how the code is interpreted. Chickens and fowl would still be allowed only in the A and RE zoning districts.

Vote on Amended Motion:

Chairman Faulkner	Aye
Commissioner Anderson	Aye
Commissioner Armstrong	Absent
Commissioner Bowie	Absent
Commissioner Crain	Absent
Commissioner Fizer	Nay

Commissioner Meuschke Aye
Commissioner Urquilla Nay
Mayor Turnbow Nay

Motion failed 3-3-0.

Commissioner Urquilla commented that he believes the proposed language under 2A helps to clarify the code requirement.

Commissioner Fizer agreed.

Mayor Turnbow commented that staff did the necessary research and supports the recommended code language.

Vote on Original Motion:

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

Motion passed 5-1-0.

Commissioner Anderson stated that based upon public comments made this evening he wanted the opportunity to come back and revisit this issue again in the future.

8. City Council Report

Mr. Zerr gave the City Council report.

9. Staff Report

Mr. Cadoret provided an overview of the upcoming cases to be considered by the Commission and on the 2018 National APA Planning Conference scheduled for April 21-24.

Mr. Cadoret requested, and the Commission confirmed, that the meeting scheduled for December 5, 2017 be cancelled due to lack of business and that the January 16, 2018 be cancelled for City Council to use the room that evening.

Public Works Director Mike Krass introduced Greg Rokos as the new Assistant Director of Public Works. Mr. Krass provided an overview of the status of current City infrastructure projects.

10. Public Comment

1. Karen Ince, 212 W. Heritage Drive, asked about street lights in the older neighborhoods of Raymore, including the end of Heritage Drive. She indicated there are no street lights at the end of Heritage and requested the City look into this.
2. Susan Dooley, 606 Condor. She expressed that Lee's Summit has a population over 100,000 and allows chickens. Additionally, the Animal Control Manager for Lee's Summit has expressed that the most difficult issue with having chickens in Lee's Summit is getting it through City Council.

- Melody Woo, 801 S. Franklin Street, understood that the backyard chicken issue is not moving forward soon, but asked when the issue could be expected to be discussed again.

Chairman Faulkner expressed that the case heard tonight will be considered by City Council on January 8, 2018.

11. Commission Member Comment

Commissioner Meuschke welcomed Commissioner Urquilla.

Commissioner Anderson welcomed Commissioner Urquilla and thanked staff.

Vice-Chairman Fizer thanked the public for the input and welcomed Commissioner Urquilla.

Commissioner Urquilla thanked the Commissioners for the welcome. He stated that there is a lack of street lights in some of the older areas of the City.

Mayor Turnbow welcomed Commissioner Urquilla and mentioned the recent ribbon cutting for the new art work in front of Raymore Marketplace.

Chairman Faulkner thanked staff for its work and support to the Commission.

12. Adjournment

Motion by Mayor Turnbow, Seconded by Commissioner Meuschke to adjourn the November 21, 2017 Planning and Zoning Commission meeting.

Vote on Motion:

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

Motion passed 6-0-0.

The November 21, 2017 meeting adjourned at 8:54 p.m.

Respectfully submitted,

Jim Cadoret