



RAYMORE PLANNING AND ZONING COMMISSION AGENDA

Tuesday, November 6, 2018 - 7:00 p.m.

City Hall Council Chambers
100 Municipal Circle
Raymore, Missouri 64083

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Personal Appearances - None
5. Consent Agenda
 - a. Approval of Minutes from October 16, 2018 meeting
6. Unfinished Business - None
7. New Business
 - a. Election of Officers
 - b. 2019 Meeting Calendar
 - c. Case #18023 - Autotopia Conditional Use Permit for a sign at 1000 E. Hubach Hill Road (*public hearing*)
 - d. Case #18025 - 29th Amendment to 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 16, 2018**, IN THE COUNCIL CHAMBERS OF CITY HALL, 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING COMMISSION MEMBERS PRESENT: CHAIRMAN WILLIAM FAULKNER, KELLY FIZER, MARIO URQUILLA, MATTHEW WIGGINS, DON MEUSCHKE, MELODIE ARMSTRONG AND MAYOR KRIS TURNBOW. ABSENT WERE CHARLES CRAIN AND ERIC BOWIE. ALSO PRESENT WERE ASSOCIATE PLANNER DAVID GRESS, ASSISTANT PUBLIC WORKS DIRECTOR GREG ROKOS, 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. **Approval of minutes of October 2, 2018 meeting**
 - b. **Case #18020 - The Lofts at Foxridge Final Plat**

Motion by Commissioner Urquilla, Seconded by Commissioner Wiggins to approve the October 2, 2018 meeting minutes as corrected.

Vote on Motion:

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

Motion passed 7-0-0.

Motion by Commissioner Urquilla, Seconded by Commissioner Wiggins to accept Case #18020, The Lofts at Foxridge Final Plat, as submitted.

Vote on Motion:

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

Motion passed 7-0-0.

6. Unfinished Business - None

7. New Business -

A. Case #18016 - Reclassification of zoning of 136.38 acres located south of North Cass Parkway, east of Interstate 49, from "BP" Business Park District to "PUD" Planned Unit Development District (public hearing).

Grant Harrison, representing VanTrust Real Estate, presented an overview on the proposed Raymore Industrial Development project. Mr. Harrison stated VanTrust is a local Kansas City developer and has selected Olsson Associates as the project engineer.

Mr. Harrison illustrated several industrial projects that his firm recently completed.

Mr. Harrison stated the project is at the southeast corner of North Cass Parkway and Interstate 49. The PUD zoning gives flexibility in site design as the project moves forward. The MOU for the project specifies the requirements under the PUD zoning. This is a 136-acre project that is proposed over 3 phases for a total of 1.9 million square feet of building space.

Mr. Harrison stated there is no set timeline for commencing construction but his firm will be working to attract tenants.

Associate Planner David Gress provided the staff report. He indicated the request is to reclassify the zoning of the 136 acres from "BP" Business Park to "PUD" Planned Unit Development. This action requires a public hearing which was advertised for this evening and he entered the following items into the record: mailed notices to adjoining property owners; the notice published in The Raymore Journal; the Growth Management Plan; the Unified Development Code; the application; the staff report; the applicant's conceptual site plan; and the draft Memorandum of Understanding (MOU) for the project.

Mr. Gress stated the MOU and master land use plan for the property was approved in 1994 and the subject property was identified as being appropriate for Industrial Park development. A good neighbor meeting was held on August 28th and a summary of questions and comments is included in the staff report.

Mr. Gress provided an overview of the development standards proposed in the MOU for the PUD, including minimum parking standards.

Mr. Gress commented that a principal reason for the PUD request is to provide future flexibility in site layout of buildings. The PUD would allow staff to approve future amendments to the site plan provided the request is in compliance with the requirements of the UDC.

Mr. Gress stated the staff recommendation is for the Commission to forward the request to the City Council with a recommendation of approval.

Chairman Faullkner asked if the trailer parking spaces illustrated on the conceptual site plan are counted towards the minimum parking requirement for the site.

Mr. Gress stated no, the parking requirement in the MOU is for passenger vehicle parking spaces only. The parking spaces for the semi-trailers are not included in the count of provided parking spaces.

Mayor Turnbow asked about Hubach Hill Road to the east and if it would be possible to find a way for a truck that travels to the east to get back to the Cass Parkway interchange area and avoid conflicts with passenger vehicles along Hubach Hill Road.

Mr. Gress commented that there should not be any reason for a truck exiting the site to make a right-turn onto Hubach Hill Road. City staff will work with the property owner to create signage that can direct truck traffic to the interchange.

Mayor Turnbow stated he was most concerned of a new truck driver traveling along Cass Parkway and missing the turn-in to the industrial site.

Mr. Gress stated staff is working on a signage plan to help alleviate any concerns.

Mayor Turnbow asked if there are any plans for traffic control devivrd at the North Cass Parkway and Dean Avenue intersection.

Mr. Gress stated yes, there is a plan for a future traffic signal at the intersection once warrants are met for traffic volume at the intersection. Mr. Gress stated the City is working on a traffic study that would assist in determining when traffic control measures need to be in place.

Commissioner Urquilla asked about trucks being able to travel through the roundabout at Lucy Webb.

Mr. Gress stated the roundabout is designed to support truck movement at a regulated speed.

Chairman Faulkner opened the public hearing at 7:28 p.m.

No public spoke.

Chairman Faulkner closed the public hearing at 7:28 p.m.

Chairman Faulkner commented that the MOU is an integral part of the PUD. He asked about the preliminary development plan section of the MOU and the uses being limited on the property, specifically waste related uses.

City Attorney Jonathan Zerr indicated that yes, the MOU is proposing to not allow waste related uses from being conducted on the property, such as a transfer station or other waste related uses.

Chairman Faulkner asked if a recycling center is a waste related use.

Mr. Gress stated it would depend upon the product being recycled. Clean wastes would be an allowable recyclable use that would require a conditional use permit.

Mr. Zerr stated the UDC does define recycling facility.

Mr. Gress stated the UDC does further define the various waste related uses, such as junkyard, recycling facility, and sanitary landfill.

Motion by Commissioner Urquilla, Seconded by Commissioner Meuschke, to accept the staff proposed findings of fact and forward Case #18016, reclassification of zoning of 136.38 acres located south of North Cass Parkway, east of Interstate 49, from “BP” Business Park District to “PUD” Planned Unit Development District, to the City Council with a recommendation of approval.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Wiggins	Aye
Commissioner Armstrong	Aye
Commissioner Bowie	Absent

Commissioner Crain	Absent
Commissioner Fizer	Aye
Commissioner Meuschke	Aye
Commissioner Urquilla	Aye
Mayor Turnbow	Aye

Motion passed 7-0-0.

B. Case #18017 - Raymore Industrial Development Site Plan

Mr. Harrison stated he had no further presentation on the site plan as he provided a general overview during his presentation on the previous case.

Mr. Gress provided the staff report for the project. He indicated the factors for the Commission to consider as part of site plan review are outlined in the staff report. Under the PUD zoning the MOU outlines the development standards that will apply to the site. The parking, landscaping, screening, stormwater control, and stormwater treatment requirements outlined in the UDC have been met.

Mr. Gress stated staff recommends the Commission approve the site plan subject to the 14 conditions listed in the staff report.

Commissioner Urquilla asked about Condition #11 that reads "All work shall be completed in accordance with the site plan approved by the Planning and Zoning Commission" and whether any changes to the site plan would require further review from the Commission.

Mr. Gress stated that the MOU proposes to provide staff with authority to approve any modification to the approved site plan, provided the modification is in compliance with all requirements of the UDC and MOU.

Motion by Commissioner Urquilla, Seconded by Commissioner Meuschke, to accept the staff proposed findings of fact and approve Case #18017, Raymore Industrial Development Site Plan, subject to the 14 conditions listed in the staff report, including City Council approval of the rezoning.

Vote on Motion:

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

Motion passed 7-0-0.

8. City Council Report

Mr. Zerr provided an overview of the October 8, 2018 meeting of the City Council.

9. Staff Report

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

Mr. Rokos provided an overview of the status of current City infrastructure projects.

10. Public Comment

None.

11. Commission Member Comment

Commissioner Urquilla thanked staff for its work in helping Raymore to grow.

Commissioner Meuschke indicated tonight is his last meeting as a Commissioner and he has enjoyed his service. His term is up and decided not to ask for reappointment.

Commissioner Fizer thanked Commissioner Meuschke for his service.

Commissioner Armstrong also thanked Commissioner Meuschke

Mayor Turnbow thanked Commissioner Meuschke for his work on the Commission and introduced Jim Petermann, who was in the audience, as the replacement on the Commission for Mr. Meuschke.

Commissioner Wiggins thanked City staff for its work and thanked Commissioner Meuschke.

Chairman Faulkner welcomed Mr. Petermann as the newest member to the Commission. He thanked Commissioner Meuschke for his service. He also reviewed a recent article in the Kansas City Star on the regulations recently adopted by Prairie Village aimed at large home development on smaller lots.

12. Adjournment

Motion by Commissioner Meuschke, Seconded by Commissioner Urquilla, to adjourn the October 16, 2018 Planning and Zoning Commission meeting.

Vote on Motion:

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

Motion passed 7-0-0.

The October 16, 2018 meeting adjourned at 8:05 p.m.

Respectfully submitted,

Jim Cadoret

Raymore Planning and Zoning Commission 2019 Meetings and Deadlines

Planning Commission Meeting Date	Residential Preliminary Plat Submission Deadline	Annexation, Rezoning, Site Plan, Final Plat, Conditional Use Permit Submission Deadline	Park Board (prelim. plat only) Suggested Meeting Date	Final Revisions Submission Deadline	Planning and Zoning Commission Public Hearing Notice		City Council Public Notice	City Council 1st Reading	City Council 2nd Reading
					Sent to publish	Neighbor Notice	Sent to publish		
1st and 3rd Tuesdays	60 days prior	Commercial Preliminary and Final 30 days prior to submission deadline	Meeting before revision deadline	10 working days before meeting	3 weeks before meeting (Friday)	2 weeks before meeting (Friday)	3 weeks before meeting (Friday)	Usually 1st CC after PZ	Usually next meeting following 1st reading
1-Jan	Holiday Meeting Cancelled								
15-Jan	16-Nov	14-Dec	27-Nov	4-Jan	21-Dec	28-Dec	4-Jan	28-Jan	11-Feb
5-Feb	7-Dec	4-Jan	22-Jan	25-Jan	11-Jan	18-Jan	18-Jan	11-Feb	25-Feb
19-Feb	21-Dec	18-Jan	22-Jan	8-Feb	25-Jan	1-Feb	1-Feb	25-Feb	11-Mar
5-Mar	4-Jan	1-Feb	22-Jan	22-Feb	8-Feb	15-Feb	15-Feb	11-Mar	25-Mar
19-Mar	18-Jan	15-Feb	22-Jan	8-Mar	22-Feb	1-Mar	1-Mar	25-Mar	8-Apr
2-Apr	1-Feb	1-Mar	26-Feb	22-Mar	8-Mar	15-Mar	15-Mar	8-Apr	22-Apr
16-Apr	15-Feb	15-Mar	26-Feb	5-Apr	22-Mar	29-Mar	29-Mar	22-Apr	13-May
7-May	8-Mar	5-Apr	26-Mar	26-Apr	12-Apr	19-Apr	19-Apr	13-May	10-June
21-May	22-Mar	19-Apr	23-Apr	10-May	26-Apr	3-May	17-May	10-June	24-Jun
4-Jun	5-Apr	3-May	23-Apr	24-May	10-May	17-May	17-May	10-Jun	24-Jun
18-Jun	19-Apr	17-May	28-May	7-Jun	24-May	31-May	31-May	24-Jun	8-Jul
2-Jul	3-May	31-May	28-May	21-Jun	7-Jun	14-Jun	14-Jun	8-Jul	22-Jul
16-Jul	17-May	14-Jun	28-May	5-Jul	21-Jun	28-Jun	28-Jun	22-Jul	12-Aug
6-Aug	7-June	5-Jul	25-Jun	26-Jul	12-Jul	19-Jul	19-Jul	12-Aug	26-Aug
20-Aug	21-Jun	19-Jul	23-Jul	9-Aug	26-Jul	27-Aug	2-Aug	26-Aug	9-Sep
3-Sep	5-Jul	2-Aug	23-Jul	23-Aug	9-Aug	16-Aug	16-Aug	9-Sep	23-Sep
17-Sep	19-Jul	16-Aug	27-Aug	6-Sep	23-Aug	30-Aug	30-Aug	23-Sep	14-Oct
1-Oct	2-Aug	30-Aug	27-Aug	20-Sep	6-Sep	13-Sep	20-Sep	14-Oct	28-Oct
15-Oct	16-Aug	13-Sep	27-Aug	4-Oct	20-Sep	27-Sep	4-Oct	28-Oct	25-Nov
5-Nov	6-Sep	4-Oct	24-Sep	25-Oct	11-Oct	18-Oct	18-Oct	25-Nov	9-Dec
19-Nov	20-Sep	18-Oct	22-Oct	8-Nov	25-Oct	1-Nov	1-Nov	25-Nov	9-Dec
3-Dec	4-Oct	1-Nov	22-Oct	22-Nov	8-Nov	15-Nov	15-Nov	9-Dec	23-Dec
17-Dec	18-Oct	15-Nov	22-Nov	6-Dec	22-Nov	29-Nov	29-Nov	23-Dec	13-Jan

A Public Hearing is Required for Preliminary Plat, Rezoning, and Conditional Use Permits.

- ~ All applicants are required to meet with the City's Development Review Committee (DRC) prior to making any application.
- ~ The DRC meets by appointment with applicants. An appointment can be scheduled by calling the Community Development Department at 816.892.3030
- ~ All applications must be complete upon submittal. A complete application and submission includes all required engineering plans
- ~ Due to Holiday and City Hall being closed, the Jan. 1 Planning Commission meeting is cancelled; and the May 27 and November 11 City Council meetings are cancelled

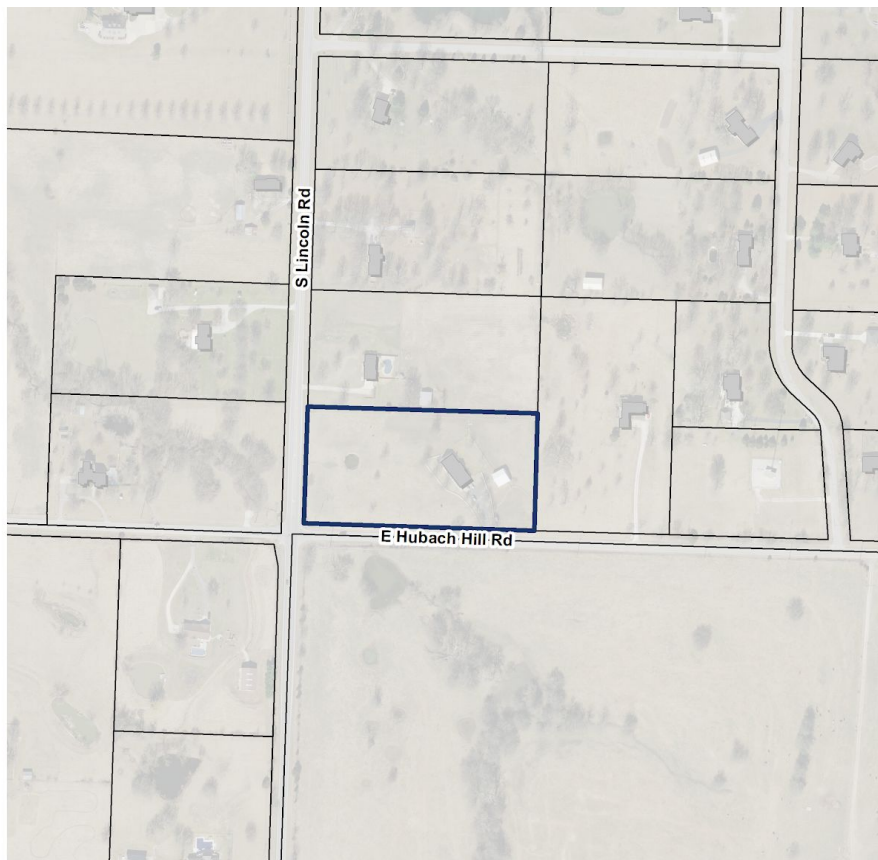


To: Planning and Zoning Commission
From: City Staff
Date: November 6, 2018
Re: Case #18023: AutoTopia Detailing Sign CUP

GENERAL INFORMATION

**Applicant/
Property Owner:** Keven Shaw
1000 E. Hubach Hill Road
Raymore, MO 64083

Property Location: Northeast corner of J Highway and E. Hubach Hill Rd.



2016 Aerial Photograph:



Existing Zoning: "RE" Rural Estate District

Existing Surrounding Zoning: **North:** "RE" Rural Estate District
South: "RE" Rural Estate District (Cass County)
East: "RE" Rural Estate District
West: "RE" Rural Estate District

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

Total Tract Size: 5 Acres

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 S. Lincoln (J Highway) and E. Hubach Hill Road as Minor Arterial roadways.

Advertisement: October 18, 2018 Journal Newspaper

Public Hearing: November 6, 2018 Planning Commission Meeting

PROPOSAL

Outline of Requested Action: The applicant seeks to obtain a Conditional Use Permit (CUP) for a sign located at the entrance into their home-based business at 1000 E. Hubach Hill Road.

City Ordinance Requirements: In order for the applicant to accomplish the aforementioned action, they must meet the provisions of the Unified Development Code. Chapter 470 of the Unified Development Code outlines the requirements and actions that need to be taken for a Conditional Use Permit, specifically, Section 470.030.

PREVIOUS ACTIONS ON OR NEAR THE PROPERTY

1. The City's Code Enforcement Officer received a complaint regarding the placement of signs along J Highway and Hubach Hill Road. The Officer identified a sign that was placed on the subject property and commenced enforcement action to have the sign removed.
2. Staff researched the history of the subject property and discovered that the homeowner was operating a home-based business without the proper license and approval through the City. The applicant was advised of this code violation.
3. A violation letter was sent to the applicant on August 8, 2018, and was given 10 days to remove the sign, and to obtain a business license with the City.
4. The applicant made verbal contact with Code Enforcement Staff, indicating that he would correct the issues referenced in the above notice of code violation.
5. Code Enforcement staff observed that only one sign had been removed and that the sign along Hubach Hill, near the applicant's driveway was still in place on September 6, 2018 (17 days after the deadline for compliance). Staff made verbal contact with the owner, indicating that the sign needed to be removed, or a citation would be issued.

6. On September 7, 2018, the applicant spoke with City Staff about options to keep the sign and operate the home occupation. Staff told the applicant he could file a request for a Conditional Use Permit to allow a sign on the property. The application was filed on September 24, 2018. Staff has placed a stay on enforcement of any City Code violations on the property until a final determination is made on the Conditional Use Permit application.
7. On October 27, 2018, staff observed the sign was in use.

STAFF COMMENTS

1. Based on staff's research, the applicant has been, and still is, operating as an unapproved home-based business, without a Occupational License.
2. Signage is not permitted for home-based occupations in the City of Raymore.
3. Signs advertising a commercial message are not permitted on residential properties, with the exception of signs advertising the sale or lease of a property.
4. City staff originally observed two signs placed by the applicant. One along Hubach Hill Road, and one along J Highway. The application for a CUP is for only one sign to be placed along Hubach Hill Road.
5. Staff has also observed the parking of a vehicle at the end of the driveway to the property. By parking the vehicle in this location, as illustrated in the photographs below, the vehicle is being used primarily as a vehicle sign advertising the business, which is not allowed by the UDC. The CUP application would not allow this violation to continue. Staff has placed a stay on the enforcement of the violation until a determination is made on the CUP, that if approved, would allow a permanent sign to be installed.



6. There are surrounding properties that have signage for commercial businesses on their property. These properties are outside the City Limits of Raymore, and are not subject to the codes and regulations of the City.
7. Staff is aware of only one other home occupation within the City that has a sign on the property. This sign was existing before the adoption of the Unified Development Code in 2009, and has been identified by staff as a legal non-conforming sign.
8. The sign code requirements that would be applicable to the property, given it's "RE" Rural Estate zoning designation are as follows.

Zoning District	Sign Type	Max Number Permitted	Maximum Size (sq ft)	Maximum Height	Illumination Permitted	Additional Requirements	
RE, RR, R-3, R-3A, R-3B, PUD and PR	Monument	1	32	6	direct or indirect	Signs with a commercial message are only permitted upon property that has approval for a public, civic or commercial use or as permitted in Section 435.070A2. See Sections 435.060 A,B,C, &D; 435.070	
	Wall	3 per establishment	10% of facade area	n/a	direct or indirect		
	Temporary Event	Noncommercial Message	1 per street frontage for each event, issue, candidate or belief	32	6		not permitted
		Commercial Message	1 per street frontage				

STAFF PROPOSED FINDINGS OF FACT

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

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

The size of the sign is not appropriate for the property. Home occupations are intended to be non-visible uses of a residential property. Having a sign of any size associated with a home occupation is in conflict with the purpose and intent of the home occupation and would identify the property as a commercial property.

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

There are no existing signs advertising a business, nor are any signs allowed, on any adjacent properties.

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

The applicant is requesting the approval of one sign at the driveway entrance to his home/home-based occupation. As stated in finding #1, a home occupation business is not allowed to have any sign.

- 4. whether there is a condition unique to the property, such as topography, line-of-site, natural features, or other factors that necessitates that the conditional use be granted so the sign will be visible;**

There are no unique conditions or natural features on the property that necessitate the need for a conditional use permit for a sign.

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

The proposed sign commercializes a residentially zoned property. While a home occupation business is allowed on the property, allowing signage to identify the presence of the business changes the character of the property and would have a significant impact on the general welfare of the surrounding neighborhood or community.

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

The subject property is located in a rural area of the City, There are no other home-based businesses with signage near the subject property within City limits. Therefore, the sign would not be compatible with the character of the surrounding property.

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u> Review	<u>Planning Commission</u> November 6, 2018	<u>City Council 1st</u> November 26, 2018	<u>City Council 2nd</u> December 10, 2018
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STAFF RECOMMENDATION

Signs are not permitted as part of a home-based occupation. Additionally, signs advertising a commercial service or message are not permitted in residential zoning districts. It is staffs opinion that allowing any home occupation to install a sign on the premises is against the purpose and intent of the UDC and should not be allowed.

Staff recommends that the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case #18023 AutoTopia Detailing Sign Conditional Use Permit to City Council with a recommendation of denial.

Should the Planning Commission choose to not accept the staff proposed findings of fact and forward Case #18023 AutoTopia Detailing Sign Conditional Use Permit to City

Council with a recommendation of approval, staff recommends the following conditions be placed on the property as part of the recommendation of approval:

1. The applicant shall obtain a business license for a home occupation from the City of Raymore.
2. The approved sign shall comply with all requirements of Chapter 435 of the Unified Development Code.
3. The applicant shall cease the parking of the vehicle sign at the driveway entrance to the property at 1000 E Hubach Hill road.

09-24-18

Hello, my name is Keven Shaw and I am applying for a "condition of use permit" for a small secondary business at 1000 E Hubach Hill Road, Raymore, MO 64083. I am requesting the use permit to place a professional, but small, business sign by my driveway entrance on the Hubach Hill side to advertise my auto detailing and graphics business. I have attached the application and supporting documents.

My property is located right on the edge of city limits on the far southeast part of Raymore. A couple of more blocks and I would be out of city limits in this outlining area.

I have run brief market tests with the signage and the sign has been very successful. Clearly the signage works for this rural area and the target market and demographic population in the rural area. Web sites and social media do not work in this rural area. In tracking my marketing, every customer I've had to date was a result of the signage.

People have repeatedly stated that they had been looking for an auto detailing business close in the outlining areas but didn't know where to go without driving longer distances for a professional detailer and that's why it works. This will work for all parties. I will provide a successful, needed business in this rural area, the public in this region clearly appreciate the service and the city will improve their business revenue and another business license for the city. Without the signage I will close this business opportunity down, because the customers contact me as a direct result of the signage; social media does not work with this target group to which I am marketing in the rural area. If the signage is permitted then I will submit the appropriate paper work for a business license.

My surrounding neighbors have been very supportive and many have already used this service. I know this would be a positive addition to the rural community, for the city and for my potential small business; it's a win-win for all parties.

Thank you

A handwritten signature in black ink, appearing to read 'Keven Shaw', written over a horizontal line.

Keven Shaw



To: Planning and Zoning Commission
From: City Staff
Date: November 6, 2018
Re: **Case #18025: 29th Amendment to the UDC – Sidewalks**

GENERAL INFORMATION

Applicant: City of Raymore
Requested Action: 29th Amendment to the Unified Development Code – Sidewalks
Advertisement: October 18, 2018 Journal Newspaper
Public Hearing: November 6, 2018 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. During discussions on the 28th amendment to the Unified Development Code (UDC) the Planning and Zoning Commission deferred action on staff recommended changes to the sidewalk requirements contained in the Code. The Commission requested additional research be completed by staff.
2. At the August 21, 2018 Commission meeting staff presented findings from the research completed on sidewalk requirements. After much discussion the Commission directed staff to prepare an amendment to the UDC for formal vote and action by the Commission.
3. The 29th amendment to the UDC consists of two revisions proposed to the UDC. The revisions are listed in the proposed ordinance as follows:
 - Section 1: Proposal would require sidewalk to be installed in the right-of-way on the property line adjacent to the street, instead of the current requirement that the sidewalk be 1-foot from the right-of-way line.
 - Section 2: Proposal would increase the minimum width of a sidewalk on local streets and private drives from 4-feet to 5-feet. Any sidewalk constructed in a residential subdivision phase with a final plat recorded prior to January 1, 2019 could remain at 4-feet in width
4. Sidewalk is required to be installed on both sides of all public roadways.
5. Sidewalk is required to be installed prior to the issuance of a Certificate of Occupancy.

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

The proposed amendment is 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 amendment is not made necessary because of changed or changing conditions in the zoning districts. The amendment is proposed to increase walkability in the residential neighborhoods of the City.

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

The proposed amendment is intended to enhance the ability to walk on sidewalks within residential neighborhoods of the City, 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 6, 2018	December 10, 2018	January 14, 2019

STAFF RECOMMENDATION

Staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case #18025, 29th amendment to the UDC, to the City Council with a recommendation of approval.

BILL xxxx

ORDINANCE

“AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING SECTION 445.030 OF THE UNIFIED DEVELOPMENT CODE.”

WHEREAS, the City Council of the City of Raymore, Missouri adopted the Unified Development Code on December 8, 2008; and,

WHEREAS, the Planning and Zoning Commission held a public hearing on the proposed 29th amendment to the Unified Development Code on xxxxx, 2018 and has submitted its recommendation of approval to the Governing Body of the City of Raymore, Missouri; and,

WHEREAS, the Governing Body, City Council of Raymore, Missouri, held a public hearing on the proposed 29th amendment to the Unified Development Code on xxxxxxxxxxxxxx, 2018 and has determined the amendments proposed would be in the best interest of the health, safety and welfare of the citizens of Raymore.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF RAYMORE, MISSOURI, AS FOLLOWS:

Section 1. Section 445.030K1 is amended as follows:

Section 445.030 Subdivision Design and Layout

K. Sidewalks

1. Requirements

a. Residential Developments

- (1) Sidewalks shall be installed on both sides of all public streets except upon lots greater than 3 acres in size, or in the case of a residential subdivision, when the average lot size is greater than 3 acres.
- (2) Sidewalks shall be installed in the right-of-way, 1 foot from on the property line adjacent to the street, along the street frontage of all lots.
- (3) Sidewalks along private streets shall be determined as part of preliminary plat review.

- (4) Corner lots that do not contain an ADA curb ramp shall have the ramp installed at the time sidewalk is installed upon the lot.
- b. Commercial, Industrial and all other developments
- (1) Sidewalks shall be installed on both sides of all public streets.
 - (2) Sidewalks shall be installed in the right-of-way, ~~1 foot from~~ **on** the property line adjacent to the street, along the street frontage of all lots.
 - (3) Sidewalks shall be provided along one side of access drives and shall connect to sidewalks along all public streets adjacent to the development.
 - (4) Corner lots that do not contain an ADA curb ramp shall have the ramp installed at the time sidewalk is installed upon the lot..

Section 2. Section 445.030K3 is amended as follows:

Section 445.030 Subdivision Design and Layout

K. Sidewalks

3. Sidewalk width

- a. ~~Sidewalks along any street classified in the Transportation Master Plan as a collector or arterial shall be at least 5 feet in width.~~ **Sidewalks shall be a minimum width of five (5) feet.**
- b. ~~Sidewalks along any other public street shall be at least 4 feet in width.~~ **Sidewalks constructed in a residential subdivision with a final plat recorded prior to January 1, 2019 may be four (4) feet in width.**
- c. Sidewalks along any access drive shall be at least 4 **five (5)** feet in width.

Section 3. This Ordinance shall be known as the twenty-ninth amendment to the Unified Development Code.

Section 4. Effective Date. The effective date of approval of this Ordinance shall be coincidental with the Mayor’s signature and attestation by the City Clerk.

Section 5. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

DULY READ THE FIRST TIME THIS xxTH DAY OF xxxxxxxxxxxxxxxx, 2018.

BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS xxTH DAY OF xxxxxxxxxxxx, 2018 BY THE FOLLOWING VOTE:

- Councilmember Abdelgawad
- Councilmember Barber
- Councilmember Berendzen
- Councilmember Burke III
- Councilmember Circo
- Councilmember Holman
- Councilmember Kellogg
- Councilmember Townsend

ATTEST:

APPROVE:

Jean Woerner, City Clerk

Kristofer P. Turnbow, Mayor

Date of Signature

Planning and Zoning Commission
Meeting Minutes Excerpt
August 21, 2018

7. New Business

B. Discussion Item - Sidewalk requirements

Mr. Gress provided an overview of the past actions of the Commission regarding discussion on staff proposed amendments to the requirements related to sidewalk installation. Staff completed additional research that is summarized in the materials included in the Commission packet.

Mr. Gress indicated staff submitted a summary of research on sidewalk requirements of 12 other cities in the area. Also included is a sidewalk construction cost comparison that indicates widening the sidewalk from 4 to 5 feet would add an additional 8.57% to the cost of sidewalk installation.

Mr. Gress indicated that staff is desiring consensus from the Commission on whether a formal UDC amendment should be filed for consideration by the Commission.

Chairman Faulkner stated he did review the minutes from previous discussions.

Commissioner Meuschke asked about what the requirement would be for sidewalk gaps if the 5-foot requirement is adopted.

Mr. Gress stated that the 5-foot requirement would only apply to sidewalk in final plats that are created after adoption of the change. It will not apply to currently platted subdivisions.

Chairman Faulkner asked if there are areas of the City that are not platted and would then be subject to the new requirements.

Community Development Director Jim Cadoret stated most of the currently developed area of the City is platted, but there are some areas unplatted, including along North Madison Street.

City Attorney Jonathan Zerr commented that a variance could be requested to modify the sidewalk requirement.

Chairman Faulkner asked for staff to discuss what the extra one-foot of sidewalk width will do for the community.

Mr. Gress commented that the wider sidewalk increases the comfortability factor that a user has when using the sidewalk. A wheelchair user can more easily turn on the wider sidewalk and users can more easily pass one-another on the wider sidewalk. The national standard is quickly becoming 5 feet for residential sidewalks.

Chairman Faulkner thought the research indicated about a 50/50 split of communities using 4-foot versus 5-foot sidewalks.

Chairman Faulkner asked what the consequences would be for not enacting the ordinance this year.

Mr. Gress did not think there were consequences to not adopting the ordinance, but there may not be any additional information staff could present to assist the Commission in making a decision on the change.

Chairman Faulkner commented on the visible sidewalk improvements occurring along 58 Highway.

Assistant Public Works Director Greg Rokos stated the City is constructing new crosswalks along 58 Highway, but there is additional sidewalk and ramp work occurring throughout the City.

Chairman Faulkner called for a straw poll of the Commissioners on the proposal.

Mayor Turnbow expressed some hesitation on increasing the width requirement. Builders have expressed concern over the years that building homes in Raymore is held to a higher standard. He stated concern on supporting the proposal.

Commissioner Urquilla stated his question is on how many areas that would fall under the new requirement. Is it 10% of the City?

Mr. Cadoret stated the City is currently 50% built out, so the proposal would affect a lot of new development.

Mr. Urquilla indicated he is indifferent on the proposal.

Commissioner Fizer supported the change to 5-foot wide sidewalks. The additional width makes walking side by side easier.

Commissioner Wiggins indicated he too is indifferent on the proposal. He reviewed costs he paid when his home was constructed and thought the builder would pass on any additional costs to the homeowner.

Commissioner Armstrong stated she still questions the impact of stormwater runoff from the additional sidewalk surface. She is leaning against approval of the change.

Commissioner Meuschke stated he supports the change to a 5-foot wide sidewalk. He is a frequent walker and believes the change makes it easier to walk on a sidewalk.

Chairman Faulkner indicated what he heard is split down the middle and thought the two changes suggested by staff should be considered together.

Chairman Faulkner suggested the work has been done in drafting a code amendment and staff could present the proposal at a formal public hearing for a recommendation from the Commission.

Mr. Zerr indicated the Commission could consider this as a new amendment or part of the next annual review.

Mr. Cadoret stated staff could present the proposal at the next annual review.

Commissioner Urquilla thought with two Commissioners being absent tonight that it may be valuable to consider at a future meeting.

Chairman Faulkner concluded the discussion by requesting staff to bring a formal amendment to the Commission at a future meeting for a public hearing and vote.

MONTHLY REPORT September 2018

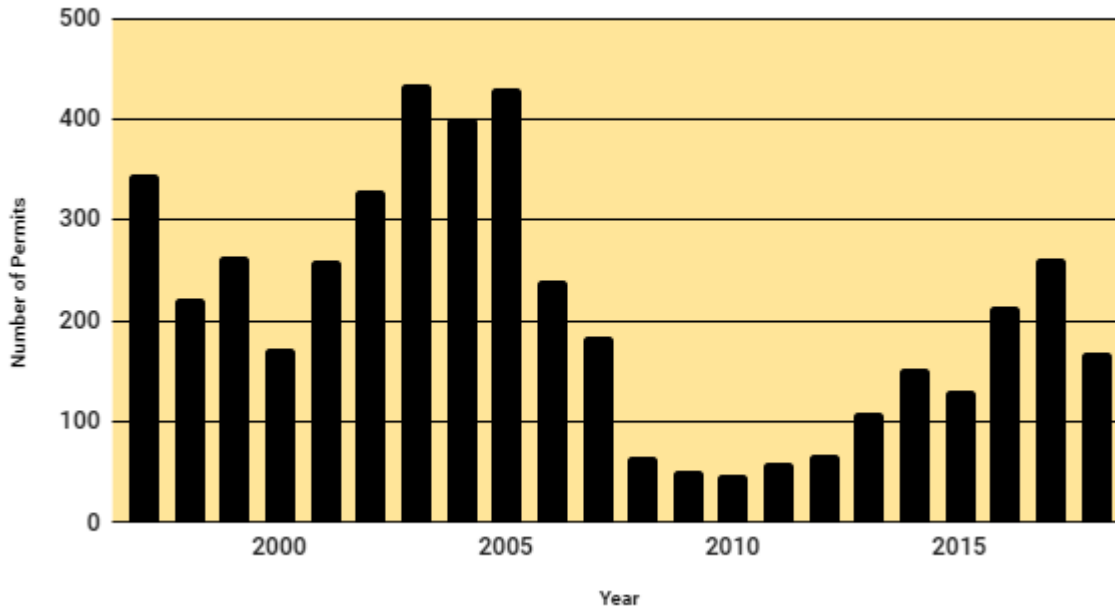
Building Permit Activity

Type of Permit	Sept 2018	2018 YTD	2017 YTD	2017 Total
Detached Single-Family Residential	11	125	142	202
Attached Single-Family Residential	6	44	20	60
Multi-Family Residential	0	0	20	20
Miscellaneous Residential (deck; roof)	40	462	366	480
Commercial - New, Additions, Alterations	2	16	26	34
Sign Permits	11	34	45	49
Inspections	Sept 2018	2018 YTD	2017 YTD	2017 Total
Total # of Inspections	450	4,476	670	7,141
Valuation	Sept 2018	2018 YTD	2017 YTD	2017 Total
Total Residential Permit Valuation	\$4,116,300	\$35,924,300	\$34,574,500	\$53,027,000
Total Commercial Permit Valuation	\$1,000	\$5,218,050	\$5,373,800	\$5,394,550

Additional Building Activity:

- Building construction continues for the proposed Discover Vision Center building to be located at 1018 W. Foxwood Drive.
- Tenant finish work has started for Freezing Moo Ice Cream to locate at 1941 W. Foxwood Drive in the Raymore Marketplace
- Construction continues on the new self-storage facility at 308 E. Walnut Street.
- Tenant finish work has started for Pizza Hut to relocate to 315 N. Dean Avenue in the former UMB space in Raymore Galleria
- Site work continues for the new Brightside Daycare building being constructed at 845 E. Walnut Street

Single Family Building Permits



Code Enforcement Activity

Code Activity	Sept 2018	2018 YTD	2017 YTD	2017 Total
Code Enforcement Cases Opened	52	389	23	471
<i>Notices Mailed</i>				
-Tall Grass/Weeds	29	141	14	152
- Inoperable Vehicles	4	42	1	76
- Junk/Trash/Debris in Yard	6	77	3	75
- Object placed in right-of-way	3	18	0	22
- Parking of vehicles in front yard	4	30	4	87
- Exterior home maintenance	1	28	0	44
- Other (trash at curb early; signs; etc)	1	30	1	15
Properties mowed by City Contractor	7	47	10	60
Abatement of violations (silt fence repaired; trees removed; stagnant pools emptied; debris removed)	0	0	0	7
Signs in right-of-way removed	29	362	27	359
Violations abated by Code Officer	4	50	6	94

Development Activity

Current Projects

- Raymore Industrial Development, VanTrust Real Estate, North Cass Interchange
 - Rezoning to Planned Unit Development
 - Site Plan Approval
- The Lofts at Foxridge Apartment Community
 - Rezoning from R-3A to R-3B
 - Preliminary Plat
 - Final Plat
 - Site Plan
- Timber Trails 3rd Final Plat

	As of Sept 30, 2018	As of Sept 30, 2017	As of Sept 30, 2016
Homes currently under construction	211	247	235
Total number of Undeveloped Lots Available (site ready for issuance of a permit for a new home)	395	475	692
Total number of dwelling units in City	8,431	8,132	7,896

Actions of Boards, Commission, and City Council

City Council

September 10, 2018

- Public hearings held on three properties that met the threshold requirement to have sidewalk installed on an undeveloped lot.
- 2nd reading - Approved the 28th amendment to the Unified Development Code

September 24, 2018 work session

- Confirmed that the City will install sidewalk upon two undeveloped lots.

Planning and Zoning Commission

September 4, 2018

- Recommended approval of the 2019-2023 Capital Improvement Program

Upcoming Meetings – October & November

October 2, 2018 Planning and Zoning Commission

- Reclassification of zoning of Parcel 5 in Eagle Glen Subdivision from "R-2" Single and Two-Family Residential to "R-3B" Apartment Residential
- The Lofts at Foxridge Preliminary Plat
- Site Plan for Lofts at Foxridge

October 8, 2018 City Council

- 1st reading - Reclassification of zoning of Parcel 5 in Eagle Glen Subdivision from "R-2" Single and Two-Family Residential to "R-3B" Apartment Residential
- Resolution for The Lofts at Foxridge Preliminary Plat

October 16, 2018 Planning and Zoning Commission

- Final Plat for The Lofts at Foxridge
- Raymore Industrial Development, Reclassification of zoning from "BP" Business Park to "PUD" Planned Unit Development (public hearing)
- Raymore Industrial Development Site Plan

October 22, 2018 City Council

- 1st reading - Raymore Industrial Development, Reclassification of zoning from "BP" Business Park to "PUD" Planned Unit Development (public hearing)
- Resolution for Raymore Industrial Development Preliminary Plat (public hearing)
- 1st reading - Reclassification of zoning of Parcel 5 in Eagle Glen Subdivision from "R-2" Single and Two-Family Residential to "R-3B" Apartment Residential
- 1st reading - Final Plat for The Lofts at Foxridge
- Resolution of The Lofts at Foxridge Preliminary Plat

November 5, 2018 City Council Work Session

- Joint meeting of City Council and the Planning and Zoning Commission

November 6, 2018 Planning and Zoning Commission

- Timber Trails 3rd Final Plat
- 29th Amendment to the Unified Development Code (public hearing)
- Conditional Use Permit for Autotopia Detailing to install a sign (public hearing)

November 12, 2018 City Council

- Meeting Cancelled - Veterans Day

November 20, 2018 Planning and Zoning Commission

- No development applications currently scheduled

November 26, 2018 City Council

- 1st reading for conditional use permit for Autotopia Detailing to install a sign (public hearing)

- 2nd reading - Raymore Industrial Development, Reclassification of zoning from "BP" Business Park to "PUD" Planned Unit Development
- Resolution for Raymore Industrial Development Preliminary Plat
- 2nd reading - Reclassification of zoning of Parcel 5 in Eagle Glen Subdivision from "R-2" Single and Two-Family Residential to "R-3B" Apartment Residential
- 2nd reading - Final Plat for The Lofts at Foxridge
- Resolution of The Lofts at Foxridge Preliminary Plat
- 1st reading - Timber Trails 3rd Final Plat
- 1st reading - Govro Easement Vacation (public hearing)

Department Activities

- Building Official Jon Woerner attended the Missouri Association of Code Administrators conference at Lake Ozark
- Associate Planner David Gress participated in the Mid-America Regional Council Solid Waste Management Board meeting
- 11 residents attended the Good Neighbor meeting held for The Lofts at Foxridge apartment development proposed for 25 acres located north of the Eagle Glen Elementary School.
- Director Jim Cadoret and Associate Planner David Gress participated in the Cass County Non-Profits monthly meeting.
- Associate Planner David Gress and Economic Development Director Matt Tapp provided an overview of development activity occurring in the City at the Chamber of Commerce monthly meeting.
- Contractors completed installation of the stamped ADA crosswalk on Municipal Circle in front of the Centerview event space. This project was funded through the AARP Community Challenge Grant awarded to the City.
- Associate Planner David Gress presented the recently adopted Accessory Dwelling Unit Ordinance at the joint meeting of the participating cities in the Communities for All Ages program.

GIS Activities

- Update of RaymoreGIS internal javascript web mapping application to include newly created feature datasets and basemaps
- Autodesk Industry Collections training
- LiDAR derivatives for site specific evaluation
- Development of organizational content in AGO
- Creation of analytical surfaces for comparison over time
- Regular update of databases & feature data sets
- Regular database, server & site administration
- Regular maintenance of software/system updates
- Geocoding of data exports
- Sharing of geospatial data