



# RAYMORE PLANNING AND ZONING COMMISSION AGENDA

**Tuesday, June 7, 2016 - 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 of April 19, 2016 meeting
  - b. Case #16006 - High Point at Creekmoor Third Final Plat
6. Old Business - None
7. New Business -
  - a. Case #16008 - 5th Amendment to the Creekmoor Memorandum of Understanding (public hearing)
  - b. Case #16009 - Raymore Municipal Center Conditional Use Permit, Raymore Municipal Center Lots 8 and 9 (public hearing)
  - c. Case #16010 - Request to permanently close and remove the access drive from 1918 W. Foxwood Drive to Missouri 58 Highway (public hearing)
  - d. Case #16007 - Cadence Raymore, Highway 58 and Dean Avenue site plan
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.*

THE PLANNING AND ZONING COMMISSION OF THE CITY OF RAYMORE, MISSOURI, MET IN REGULAR SESSION TUESDAY, APRIL 19, 2016 IN THE COUNCIL CHAMBERS OF CITY HALL, 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING COMMISSION MEMBERS PRESENT: CHAIRMAN WILLIAM FAULKNER, KELLY FIZER, DON MEUSCHKE, LEO ANDERSON, JOHN BERENDZEN, CHARLES CRAIN, JOSEPH SARSFIELD, ERIC BOWIE AND MAYOR KRISTOFER TURNBOW. ALSO PRESENT WERE COMMUNITY DEVELOPMENT DIRECTOR JIM CADORET, ASSISTANT PUBLIC WORKS DIRECTOR ED IEANS 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 March 15, 2016 meeting
  - B. Case #16003 - Edgewater at Creekmoor Fifth Final Plat

Motion by Commissioner Anderson, Second by Commissioner Crain to approve items A & B of the consent agenda.

Vote on Motion:

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

Motion passed 8-0-1.

6. Old Business – None
7. New Business
  - A. Case #16004 – Annual Review of the Growth Management Plan (public hearing)

Jim Cadoret, Community Development Director for Raymore, provided the staff report. Mr. Cadoret indicated that the Growth Management Plan (GMP) was adopted in 2013 and a component of the plan was for the Commission to conduct an annual review and prepare an annual report on the progress being made on implementation of the plan. This is the third annual review of the GMP being completed by the Commission.

Mr. Cadoret indicated that the GMP remains current with modern planning practices. He indicated that the changing demographics of Raymore, and of most communities in the country, will present a planning challenge for us and that Raymore needs to take an active role in the Communities for All Ages initiative. The changing demographics will also impact housing opportunities in the City and perhaps it is time to evaluate allowing accessory dwelling units in more residential districts. He also

indicated that with the passage of the General Obligation bond authorization by the voters that there may be a need to review the Master Transportation plan in the near future.

Mr. Cadoret outlined several activities that occurred in 2015 to help implement the GMP goals. Specifically, Mr. Cadoret discussed the formation of an Economic Development Team; the annual review of the Property Maintenance Code; the construction of the Ridgeway Villas project that provides affordable housing in the community; the construction work at T.B. Hanna Station; and the proposed new Community Meeting facility on Municipal Circle.

Mr. Cadoret also discussed the work City Council is doing regarding the preparation of a City Strategic Plan. He felt that the Commission should proceed with caution on any GMP amendments until Council completes its strategic plan.

Mr. Cadoret did review a couple of issues that he felt would be relevant for the Commission to consider in 2016, including a possible update to the Transportation Master Plan; the limited amount of leasable commercial space available in the City; the changing demographics; and the Supreme Court decision that impacts the current City sign code.

Mr. Cadoret indicated the only amendment staff has identified as being necessary to the GMP is an update to the Financial Incentive Map to indicate the addition of the Dean and 58 Highway TIF and CID recently approved by the City Council.

Chairman Faulkner opened the floor to the public at 7:21 p.m.

Charlene Hubach, 1002 E. Hubach Hill Road, spoke about the responsibilities the Planning and Zoning Commission has regarding making a physical plan for the community. Mrs. Hubach spoke about mixed use and certain areas that she feels are blighted within the community. Mrs. Hubach wanted to know what the Commission plans are for the physical development of the community.

Chairman Faulkner closed the floor to the public, and closed the public hearing, at 7:24 p.m.

Commissioner Anderson commented on the Willowind shopping center and felt there was no willingness by the current property owner to upgrade the property. There may only be a couple of vacant tenant spaces but we need to do better than what is currently there.

Mayor Turnbow indicated that some of the concerns raised by Mrs. Hubach were discussed by the City Council at a work session that was held the previous evening. He indicated a schedule was presented that outlined when the General Obligation bond projects would be moving forward. He also thought that the Municipal Complex, with the addition of a Community Meeting space building, could become a town center for Raymore. He indicated the Planning and Zoning Commission has a lot of work to do and that there should be a blending of ideas from the Council, the Planning and Zoning Commission, and the City staff.

Chairman Faulkner indicated that he agreed with the comments from the Mayor. He thought in past years when the City was growing rapidly the City may have been more reactive and was working on a smaller scale. Today it appears to him that we are taking a more active role in implementing projects such as road extensions and the community meeting building.

Commissioner Crain indicated he also agreed with the Mayor's comments. He stated the Unified Development Code (UDC) currently allows mixed use developments and allows multi-generational housing. Mr. Crain indicated he was hesitant for the City to do a forced redevelopment plan and thought the City was in a good position with the UDC to move forward.

Mayor Turnbow stated the Council did have some discussion on a possible budget for the Planning and Zoning Commission to bring in a facilitator to see how the GMP can interact with Council goals. He thought there was a chance for open discussion with the Council to look at the GMP.

Chairman Faulkner agreed that certain items like mixed uses and accessory dwelling units were already part of the UDC. He cautioned though that the City has limited experience with these concepts. He indicated that Raymore continues to be a leader in Cass County and that he doesn't want to put off planning and fall behind.

Motion by Commissioner Anderson, Second by Commission Berendzen to accept the Case #16004 – Annual Review and Report of the Growth Management Plan, inclusive of the Financial District Map update as identified by staff.

Vote on Motion:

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

Motion passed unanimously 9-0-0.

8. City Council Report  
Jonathan Zerr gave the City Council report.
9. Staff Report

A. Planning Pipeline

Mr. Cadoret indicated that the American Planning Association conference in Phoenix was a success. He attend many good sessions, including several on land use law and ethics.

Commission Fizer thanked the City for allowing her the opportunity to attend. She too attended many good sessions; had an opportunity to tour Chase Field, a project she worked on many years ago; and found it interesting that at the conference a small town was often considered 100,000 people or less.

Mr. Cadoret indicated that there are no agenda items on the schedule for the May 3rd meeting and the Commission decided to cancel the meeting.

Charirman Faulkner asked Mr. Zerr to consider a possible Commissioner traning session in the near future.

Mr. Cadoret also indicated that Commissioner Fizer expressed some interest in the use of "little libraries" throughout the City and thought the Commission should consider any UDC impacts this use may have. Mr. Cadoret also indicated the Commission may want to study potential impacts of small-cell telecommunications facilities, such as new cell phone equipment going on existing utility poles.

10. Public Comment - None
11. Commission Member Comment

Commissioner Anderson - Thanked City staff and welcomed Mayor Turnbow to the Commission  
Commissioner Berendzen - no comment  
Commissioner Meuschke- no comment  
Commissioner Bowie - Welcomed Mayor Turnbow to the Commission  
Commissioner Fizer - Discussed the Pop-Up Art project being sponsored by the Arts Commission and thought the Commission members may want to participate  
Commissioner Crain - Welcomed Mayor Turnbow to the Commission  
Commissioner Sarsfield- Welcomed Mayor Turnbow to the Commission  
Mayor Turnbow - Thanked the Commission members for the warm welcome and looks forward to working with the Commission  
Chairman Faulkner - thanked staff for its work. He also discussed several articles in the April 2016 edition of the APA Planning magazine that he thought were particularly interesting.

12. Adjournment

Motion by Commissioner Anderson, Second by Commissioner Bowie to adjourn the April 19, 2016 Planning and Zoning Commission meeting.

Vote on Motion:

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

Motion passed unanimously 9-0-0.

The April 19, 2016 meeting adjourned at 8:16 p.m.

Respectfully submitted,

Jim Cadoret



To: Planning and Zoning Commission  
From: City Staff  
Date: June 7, 2016  
Re: Case #16006 - High Point at Creekmoor  
Third Final Plat - Lots 45 through 62 and  
Tracts E and F

## GENERAL INFORMATION

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

Property Location: Southeast corner of 163rd Street & Foxridge Drive



Property Photographs:



View from north end of Creekmoor Pond Lane looking north



View from end of Creekmoor Pond Lane looking west along property line of High Point 2nd



View from 163rd Street looking south at area where Creekmoor Pond Lane will be extended



View from 163rd Street looking southwest at site

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: Foxridge Drive

Total Tract Size: 8.799 acres

Total Number of Lots: 18

Density – units per Acre: 2.04 units per acre

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 Pond Lane as a local street and 163rd Street as a major collector.

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 High Point at Creekmoor Third Final Plat – Lots 45 through 62 and Tracts E and F.

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. High Point at Creekmoor Second Plat, located directly to the south, was recorded on April 16, 2014.

- Westbrook at Creekmoor Eleventh Plat, located across 163rd Street to the north, was recorded on November 4, 2015.

## ENGINEERING DIVISION COMMENTS

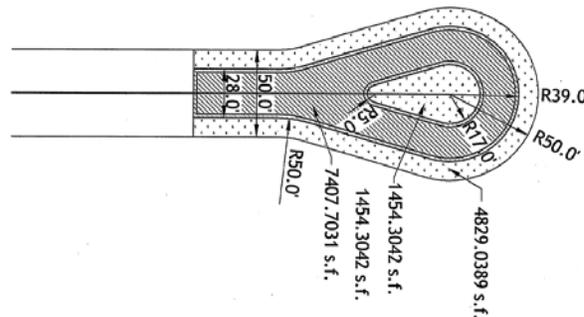
See attached memorandum.

## STAFF COMMENTS

- The current bulk and dimensional standards for the “PUD” Planned Unit Development Residential District zoning classification for the property is provided below:

Current	
<b>Minimum Lot Area</b>	
per lot	8,400 sq ft
<b>Minimum Lot Width (ft.)</b>	70 feet; 30 cul-de-sac lot
<b>Minimum Lot Depth (ft.)</b>	100
<b>Yards, Minimum (ft.)</b>	
Front	25
rear	25
side corner	20
side	7.5
<b>Maximum Building Height (feet)</b>	35
<b>Maximum Building Coverage (%)</b>	30

- Street names initially proposed as part of the preliminary plat were modified as part of the final plat application to be in compliance with the Addressing and Street Naming Policy adopted by the City.
- The plat and engineering construction drawings have incorporated the new tear-drop design for the cul-de-sac. This design allows for an island to be installed in the cul-de-sac as a water quality measure.



4. The proposed final plat is slightly modified from the approved preliminary plat. The maintenance building identified along 163rd Street was constructed along North Madison Street.



(illustration from approved preliminary plat)

5. The perimeter of the subdivision on the west and north is surrounded by common area, providing a natural buffer to Foxridge Drive and 163rd Street.
6. South Metropolitan Fire Protection District reviewed the final plat and had no comments or concerns.
7. The proposed extension of Creekmoor Pond Lane will line up with Buckingham Court across 163rd Street.
8. A land disturbance permit and a permit for installation of public improvements have been issued, allowing site work to commence on the subdivision phase. These permits can be issued prior to final plat approval if a valid preliminary plat exists and the Public Works Director has approved the plans.

## **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. Road alignment and lot juxtaposition 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> June 7, 2016	<u>City Council 1<sup>st</sup></u> June 13, 2016	<u>City Council 2<sup>nd</sup></u> June 27, 2016
---------------	--	---	---

## **STAFF RECOMMENDATION**

Staff recommends that the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case #16006 High Point at Creekmoor Third Final Plat to the City Council with a recommendation of approval.

# Memo

**To:** Planning and Zoning Commission  
**From:** Edward Ieans, Assistant Public Works Director  
**CC:** File  
**Date:** May 2, 2016  
**Re:** Final Plat: Highpoint of Creekmoor, Third Plat: Lots 45 Through 62, Tract E and F

The Creekmoor property is located generally in the southwest quadrant of the 155<sup>th</sup> Street and Madison Street intersection and encompasses approximately 990 Acres. This phase of the development, Highpoint 3rd of Creekmoor - Lots 45 through 62, is approximately 8.79 acres.

There are public facilities adjacent to the property of sufficient size and capacity to serve the site without undue burden to the City of Raymore.

*Sanitary Sewer:*

The lots will be served by an 8 inch sanitary sewer. The sanitary sewer will be connected to the existing sanitary sewer along 163rd street.

*Water System:*

The site will be served by installing a 6" main in Cothran Circle, and connecting to the existing 16" main along Creekmoor Pond Lane.

*Transportation System:*

This phase of the project includes the construction of Cothran Circle. This road will be constructed to city standards.

*Storm Water Management:*

This phase uses an enclosed storm water conveyance system and rear yard swales to direct runoff towards the main lake. The proposed storm water conveyance system will accommodate the runoff from the watershed.

*Recommendation:*

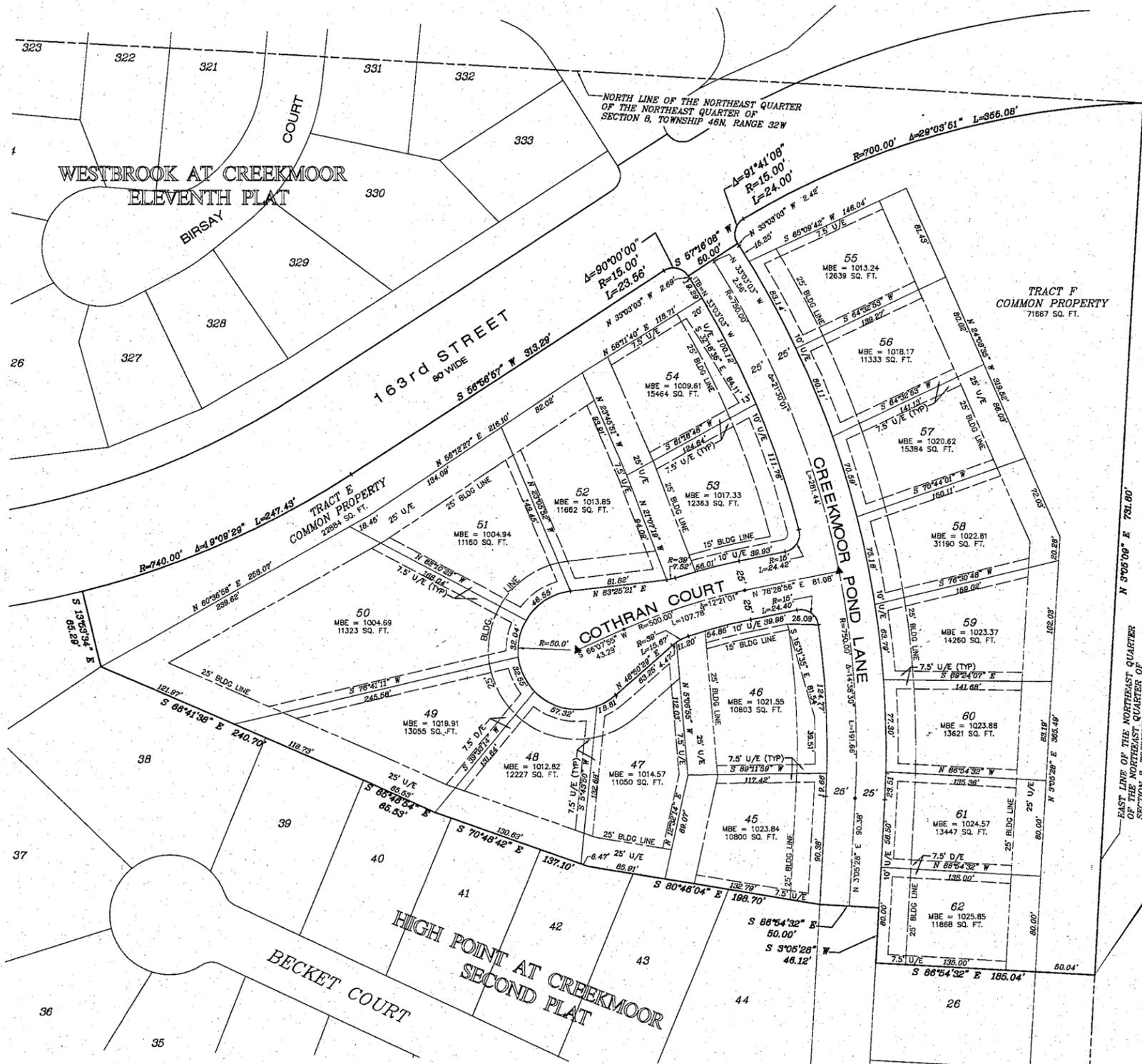
The Engineering Division reviewed the application and found that the Final Plat for Edgewater at Creekmoor – Third Plat, Lots 45-62, Tract E and Tract F complies with the design standards of the City of Raymore.

The Engineering Division recommends approval of this application.



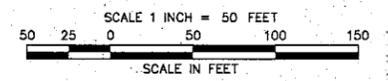
FINAL PLAT  
**HIGH POINT AT CREEKMOOR-  
 THIRD PLAT**

LOTS 45 THROUGH 62 AND TRACTS E AND F  
 A SUBDIVISION IN RAYMORE, CASS COUNTY, MISSOURI  
 SECTION 8, TOWNSHIP 46 N, RANGE 32 W



INIT. TANG. BEAR.  
 S 88°30'19" W

NORTHEAST CORNER SECTION 8,  
 TOWNSHIP 46N, RANGE 32W



LEGEND	
	SETBACK LINE
	UTILITY & DRAINAGE EASEMENT
	SUBDIVISION BOUNDARY
	COMBINATION BLDG SETBACK LINE & UTILITY/DRAINAGE EASEMENT LINE

POINT OF BEGINNING

NORTHEAST CORNER PLAT OF  
 "HIGH POINT AT CREEKMOOR-  
 SECOND PLAT LOTS 21 THROUGH  
 44 AND TRACTS C AND D"

**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.

**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: June 7, 2016  
Re: Case #16008 - 5th Amendment to Creekmoor MOU

## GENERAL INFORMATION

Applicant: Cooper Land Development  
903 North 47<sup>th</sup> Street  
Rogers, AR 72756

Requested Action: 5th Amendment to the Creekmoor Memorandum of Understanding

Advertisement: May 19, 2016 Journal newspaper

Public Hearing: June 7, 2016 Planning and Zoning Commission

Items of Record: Exhibit 1. Notice of Publication in The Journal  
Exhibit 2. Unified Development Code  
Exhibit 3. Growth Management Plan  
Exhibit 4. Staff Report  
Exhibit 5. Proposed 5th Amendment to MOU

Additional exhibits as presented during hearing

## PROPOSAL

Outline of Requested Action: The applicant seeks to amend the approved Memorandum of Understanding (MOU) for the Creekmoor Subdivision. This amendment seeks to clarify the common area requirement for the subdivision and to clarify language regarding maintenance of the low pressure sanitary sewer system.

City Ordinance Requirements: In order for the applicant to accomplish the aforementioned action they must first meet the requirements contained in Section 470.050 of the Unified Development Code. This section outlines the requirements to guide the Planning and Zoning Commission and City Council in their actions in considering any amendment to the Preliminary Plan, including amendments to the Memorandum of Understanding.

## **STAFF COMMENTS**

1. The Preliminary Plan and Memorandum of Understanding (MOU) for the Creekmoor Subdivision were approved by the Raymore City Council on January 26, 2004. The approved preliminary plan and MOU have guided all development in Creekmoor to date, subject to the four amendments to the MOU described below.
2. Any amendment to the approved preliminary plan, including the MOU, requires a public hearing before the Planning and Zoning Commission and City Council with final approval from the City Council.
3. The 1<sup>st</sup> amendment to the MOU was approved on June 26, 2006. The 1<sup>st</sup> amendment changed the land use in the area now known as “The Village of Southern Hills” from multi-family residential to single-family residential.
4. The 2<sup>nd</sup> amendment to the MOU was approved on July 24, 2006. The 2<sup>nd</sup> amendment changed the land use in the areas to the east and west of the clubhouse on 163<sup>rd</sup> street (subject property area) from two-family residential to single-family residential.
5. The 3<sup>rd</sup> amendment to the MOU was approved on July 23, 2007. The 3<sup>rd</sup> amendment increased the maximum building coverage from 30% to 40% for all lots contained in the Edgewater at Creekmoor subdivision phases and for all future “patio” and “duplex” zoned dwelling units.
6. The 4<sup>th</sup> amendment to the MOU only applies to the lots contained within the Westbrook at Creekmoor Eleventh Plat. The development standards for this subdivision phase were modified by the amendment.
7. In the spring of 2016 the developer of Creekmoor met with City staff to discuss future plans for the subdivision. Two items of concern were 1) how the City would interpret the common area requirement in the future; and 2) maintenance responsibilities of the low pressure sanitary sewer system. After discussion and research on the matter staff and the developer agreed to submit the 5<sup>th</sup> amendment to the MOU in an attempt to provide clarification on the items.

8. The approved Preliminary Plan for Creekmoor identifies the proposed land use summary for all acreage in the subdivision as illustrated below:

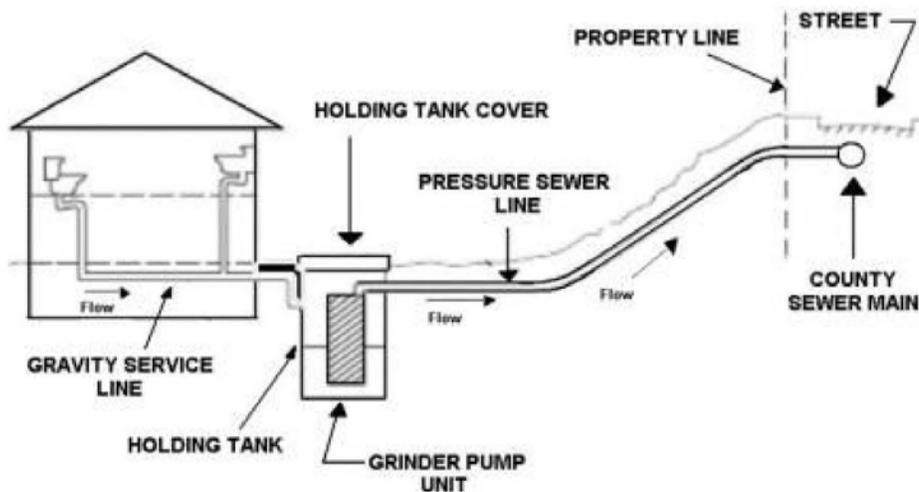
Category	Acres	%	Estimated Units	Maximum Units
Residential Single Family	327	33	883	1021
Residential Patio Homes	71	7	278	278
Residential Two Family	37	4	166	266
Common Areas	535.5	54		
School Site	20.5	2		
Totals	991		1327	1565

The developer's concern and question is related to what constitutes common area. To avoid any misunderstanding as the subdivision nears completion the developer is wanting the MOU to be clear on how open space is calculated.

In the 5th amendment staff is proposing the following language be added as a note to the bottom of the land use summary table:

- 1) Common Areas include the land area that comprises Creekmoor Lake, Creekmoor Golf Course, Creekmoor Clubhouse, and the common area tracts identified on each final plat approved by the City.

9. An important component of the subdivision when initially approved was the vast amount of common area provided throughout the subdivision. The total amount of common area must be at least 535.5 acres when the last final plat is approved for development in the subdivision. The developer and the City are both tracking the amount of common area being provided as each final plat is submitted for consideration to ensure the total amount of common area is being provided as required.
10. The second request from the developer is to clarify maintenance responsibilities of the low pressure sanitary sewer system (LPSS) that is utilized in portions of the subdivision. A LPSS is typically utilized for those homes that have its lowest level below the elevation of the City sanitary sewer main located in the City street right-of-way. The LPSS is essentially a holding tank that utilizes a grinder pump unit that pumps water up to the City sanitary sewer main as illustrated below:



Some areas of Creekmoor have the LPSS on the private lot and have collection lines in the City right-of-way. The Gravity-Pressure Sewer Lots map that is attached identifies the locations in the subdivision wherein a LPSS is necessary. Portions of the Edgewater, Kensington (not yet built) and Westbrook phases of the subdivision are to be served by the LPSS.

11. When Creekmoor was first proposed the City agreed to allow the LPSS under the condition that the system would be maintained by the homeowner and the Creekmoor Property Owners Association (POA). The MOU included language that a written agreement was to be executed that was to outline responsibilities of the developer and the City, including a structure by which the City would refund to the POA a portion of the revenues received from sewer charges based upon maintenance costs of the LPSS. No agreement was ever finalized.

The POA did develop a LPSS notice that is provided to the initial homeowner when the home is first occupied indicating that the home is served by a grinder pump and that the homeowner is responsible for maintenance of the pump. The cost for any maintenance and repair of the pump was to be borne by the property owner. If a pump needs repairs or fails the POA will repair or replace the pump and assesses the cost to the property owner.

12. As part of the 5th amendment the City would assume ownership and responsibilities for the collection pipes associated with the LPSS that are located in the City right-of-way. All on-lot sewage facilities will continue to

be owned by the lot owner and operated and maintained by the POA. The City will provide a one-time payment of \$21,630.87 to the developer to cover the refund that is due per the terms of the MOU. The 5th amendment would subsequently eliminate any reference to a refund of sewer charges.

## **STAFF PROPOSED FINDINGS OF FACT**

Under Section 470.050 of the Unified Development Code the Planning and Zoning Commission shall submit a recommendation to the City Council to approve, approve with modifications or disapprove the proposed preliminary plan. The Commission must make findings of fact taking into consideration the following:

1. The preliminary development plan's consistency with the Growth Management Plan and all other adopted plans and policies of the City of Raymore; and

No amendment to the actual preliminary plan are proposed.

2. The preliminary development plan's consistency with the PUD standards of Section 415.060, including the statement of purpose; and

The preliminary plan remains consistent with the PUD standards of Section 415.060. The proposed amendment to the MOU provides for clarification in existing language in the MOU.

3. The nature and extent of common open space in the PUD; and

The overall common area to be provided in the Creekmoor PUD remains at 54%. The proposed 5th amendment does not modify the amount of common area being provided but provides clarification on what land areas comprise the common area.

4. The reliability of the proposals for maintenance and conservation of common open space; and

All of the common area in Creekmoor is currently maintained by the Property Owner' Association. The proposed 5th amendment will not modify the maintenance of any of the common area.

5. The adequacy or inadequacy of the amount and function of common open space in terms of the densities and dwelling types proposed in the plan; and

The requirement to provide 54% of the land area in Creekmoor in open space is not proposed to be modified by the 5th amendment. Common area is included in each proposed subdivision phase when said phase obtains final plat approval. The 54% open space remains adequate. Overall density in the subdivision has been reduced since the initial 2004 preliminary plan was approved.

6. Whether the preliminary development plan makes adequate provision for public services, provides adequate control over vehicular traffic, and furthers the amenities of light and air, recreation and visual enjoyment; and

The preliminary plan does make adequate provision for public services. The proposed 5th amendment does not modify any of the plans to provide public services.

7. Whether the preliminary development plan will have a substantially adverse effect on adjacent property and the development or conservation of the neighborhood area; and

Since no portion of the preliminary plan is proposed to be modified there is no effect on any properties..

8. Whether potential adverse impacts have been mitigated to the maximum practical extent; and

There are no potential adverse impacts created by the 5th amendment.

9. Whether the preliminary development plan represents such a unique development proposal that it could not have accomplished through the use of (non-PUD) conventional Unified Development Code; and

The preliminary development plan approved for the Creekmoor development could not have been accomplished without the use of PUD zoning. The Creekmoor development is unique in many ways, reflected by the diversity of housing and lots allowed within the subdivision.

10. The sufficiency of the terms and conditions proposed to protect the interest of the public and the residents of the PUD in the case of a plan that proposes development over a period of years.

The Creekmoor MOU and development agreements established with each phase of development serves to protect the interest of the public and residents of Creekmoor. Amending the MOU to allow for clarification in the definition of common area and in clarifying maintenance responsibility for the low pressure sanitary sewer system is in keeping with the spirit of the initial preliminary plan.

## **REVIEW OF INFORMATION AND SCHEDULE**

<u>Action</u>	<u>Planning Commission</u>	<u>City Council</u>
Public Hearing	June 7, 2016	June 13, 2016 June 27, 2016

## **STAFF RECOMMENDATION**

City Staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case #16008, 5th amendment to the Creekmoor Memorandum of Understanding, to the City Council with a recommendation of approval.

# City of Raymore, Missouri



## 5th Amendment to the Memorandum of Understanding for Creekmoor Subdivision

Initially approved January 26, 2004  
1<sup>st</sup> Amendment approved June 26, 2006  
2<sup>nd</sup> Amendment approved July 24, 2006  
3<sup>rd</sup> Amendment approved July 23, 2007  
4th Amendment approved July July 27, 2015

## MEMORANDUM OF UNDERSTANDING

THIS 5th AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING (“MOU”) FOR THE DEVELOPMENT OF CREEKMOOR SUBDIVISION (“CREEKMOOR”) is made and entered into this 27th day of June, 2016, by and between Cooper Land Development, Inc., a Corporation organized and existing under the laws of the State of Arkansas, (“CLD”), and the City of Raymore, Missouri, a Municipal Corporation and Charter City under the laws of the State of Missouri (“City”).

WHEREAS, CLD seeks to obtain approval from the City for an amendment to the Memorandum of Understanding to provide clarification on the Land Use Summary Table and to clarify maintenance responsibility for the Low Pressure Sewer System: and,

WHEREAS, that CLD, herein defined, agrees to assume all subdivision development obligations of the City as described in this amendment, the 1st, 2nd, 3rd and 4th amendments, and the original MOU agreement; and,

WHEREAS, the City desires to ensure that CLD will accomplish certain things in order to protect the public health, safety and welfare.

NOW, THEREFORE, CLD and the City hereby agree that the Creekmoor Memorandum of Understanding, as approved on January 26, 2004, with the 1<sup>st</sup> amendment approved on June 26, 2006, the 2<sup>nd</sup> amendment approved on July 24, 2006, the 3rd amendment approved on July 23, 2007, and the 4th amendment approved on July 27, 2015 is hereby amended as follows:

### 2. PRELIMINARY DEVELOPMENT PLAN

#### B. Proposed Land Use Summary

Category	Acres	%	Estimated Units	Maximum Units
Residential Single Family	327	33	883	1021
Residential Patio Homes	71	7	278	278
Residential Two Family	37	4	166	266
Common Areas	535.5	54		
School Site	20.5	2		
Totals	991		1327	1565

- 1) Common Areas include the land area that comprises Creekmoor Lake, Creekmoor Golf Course, Creekmoor Clubhouse, and the common area tracts identified on each final plat approved by the City.

#### 4. PUBLIC IMPROVEMENTS AND INFRASTRUCTURE

##### C. Low Pressure Sewer System

CLD is proposing a combination low-pressure sanitary sewer system and gravity system. The gravity system, which serves additional residents outside the Creekmoor Development, will be maintained by the City of Raymore. The operation of the LPSS will be governed by the following terms:

- i. ~~The Property Owners Association will maintain the LPSS system and any gravity system that exclusively serves Creekmoor, including the individual on-lot systems.~~ The City of Raymore will assume ownership and maintenance responsibilities for the collection pipes associated with the LPSS subject to the provisions of Section 445.020 of the Unified Development Code. All on-lot sewage facilities will continue to be owned by the lot owner and operated and maintained by the POA.
- ii. ~~The City and CLD will enter into an a written agreement written to assure the financial security for the maintenance of the LPSS. Approval of this agreement and the use of LPSS for this development shall be contingent upon the acceptance by the City of a Sanitary Sewer Feasibility Analysis provided by CLD. This agreement will outline definite funding amounts, the Property Owners Association fee structure, level of maintenance, and annual reports to the City of Raymore.~~
- iii. The use of LPSS will be minimized to the extent possible, and CLD will be responsible for ensuring that utilities installed in Creekmoor comply with City regulations concerning the provision of utilities to the boundaries of their property.
- iv. In the case of default by the POA, CLD, it successors and assigns, will assume responsibility for maintenance of the LPSS. In the event of default of any provision, CLD agrees to pay any attorney fees incurred by the City as a result of breach of the agreement.
- v. ~~The POA will receive a percentage refund from revenues received by the City from sewer charges for residential users in Creekmoor. The percentage will be determined by the City based upon the estimated maintenance costs, as established by City rate studies, associated with the portion of the system maintained by the POA.~~
- vi. Water and sewer connection fees will be paid as provided for in the City Code.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first written above.

\_\_\_\_\_  
Kristofer P. Turnbow, Mayor

\_\_\_\_\_  
Cooper Land Development

ATTEST:

ATTEST:

\_\_\_\_\_  
Jean Woerner, City Clerk

\_\_\_\_\_





To: Planning and Zoning Commission  
From: City Staff  
Date: June 7, 2016  
Re: Case #16009 - Conditional Use Permit,  
Raymore Municipal Center

## GENERAL INFORMATION

Applicant/  
Property Owner: City of Raymore  
Requested Action: Conditional Use Permit for a public building to be constructed upon  
Lots 8 & 9 and for public outdoor use of Lots 8 and 9 and Common  
Area Tract A  
Property Location: Southeast corner of Municipal Circle and Broadmoor Drive

2014 Aerial Photograph:



Property Photographs:



View from Municipal Circle looking south along west property line of Lot 8



View from northwest corner of Lot 8 looking southeast at Lots 8 and 9



View from corner of Municipal Circle and Broadmoor looking southwest at lots 8 and 9



View of Common Area Tract A looking southwest



View of Common Area Tract A looking south

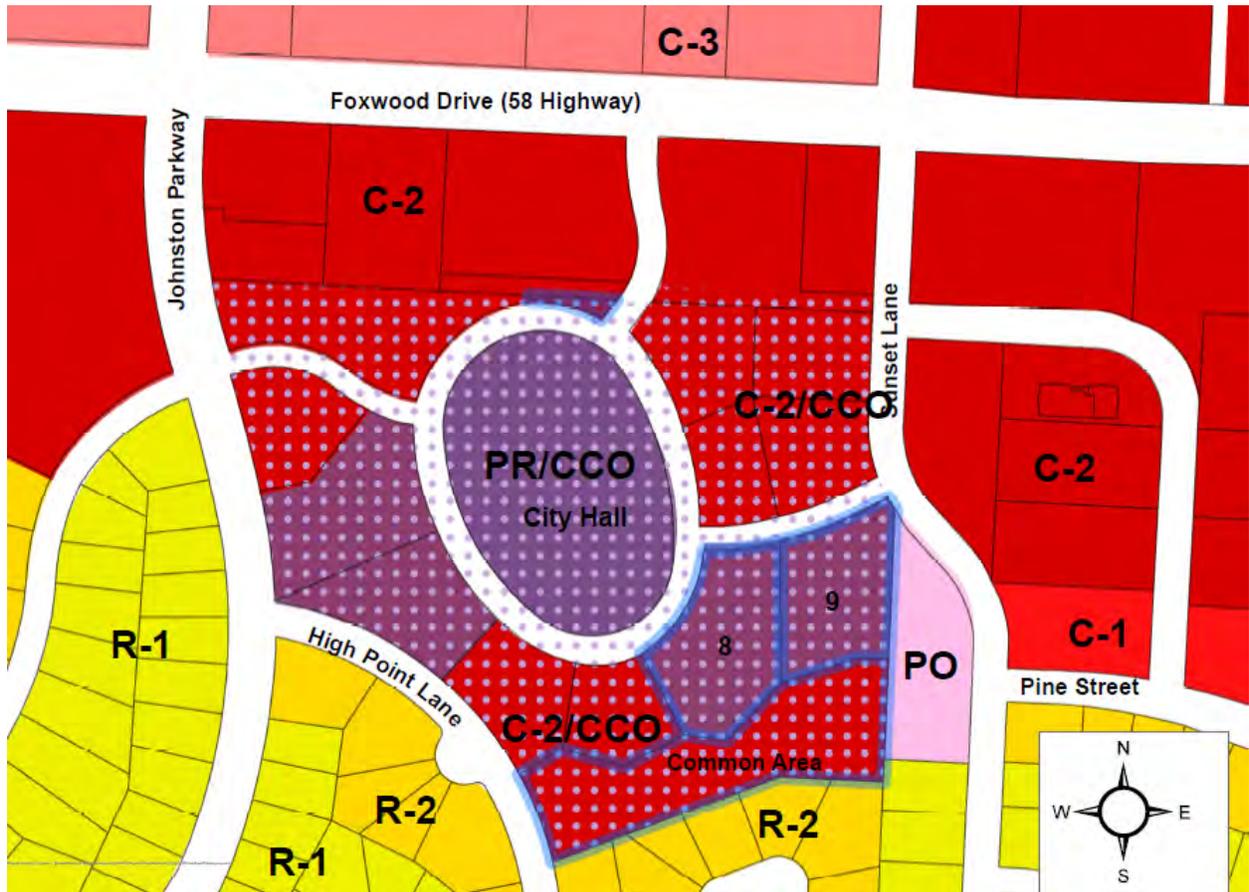


View of Common Area Tract A looking southeast

Existing Zoning:

Lots 8 and 9:  
Common Area A:

PR/CCO District  
C-2/CCO



Existing Surrounding Uses:

North: City Hall/Commerical Office Space  
 South: Two-Family Residential  
 East: Stormwater Detention Basin  
 West: Commercial Office Space

Total Tract Size:

Lots 8 & 9 = 2.386 acres  
 Common Area A = 2.115 acres

Subdivision Plat:

Raymore Municipal Complex First Plat

Growth Management Plan: The Future Land Use Plan Map contained in the Growth Management Plan identifies this property as appropriate for commercial development.

Major Street Plan: The Major Thoroughfare Plan Map contained in the Growth Management Plan has Municipal Circle and Broadmoor classified as local streets.

Advertisement: May 26, 2016 Raymore Journal

Public Hearing: June 7, 2016 Planning and Zoning Commission

Items of Record: Exhibit 1. Mailed Notices to Adjoining Property Owners  
Exhibit 2. Notice of Publication in The Journal  
Exhibit 3. Unified Development Code  
Exhibit 4. Application  
Exhibit 5. Growth Management Plan  
Exhibit 6. Staff Report  
Exhibit 7. Conceptual Site Plan  
Exhibit 8. Conceptual Building Elevations

Additional exhibits as presented during hearing

## **PROPOSAL**

### Outline of Requested Action:

The applicant seeks to obtain conditional use permit approval to allow a government building (Raymore Municipal Center public meeting space) and related outdoor activities upon lots 8 and 9 and Common Area Tract A in the Raymore Municipal Complex. Use of Common Area Tract A will include stormwater detention, trail, and outdoor learning environment.

## **CONDITIONAL USE PERMIT REQUIREMENTS AND STANDARDS**

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 obtain a Conditional Use Permit, specifically Section 470.030.

### **Section 470.030 Conditional Uses**

#### **A. Purpose**

Conditional uses are those types of uses which, due to their nature, are dissimilar to the normal uses permitted within a given zoning district or where product, process, mode of operation or nature of business may prove detrimental to the health, safety, welfare or property values of the immediate neighborhood and its environs. Some conditional uses may also be permitted only after complying with additional requirements in Chapter 420.

#### **B. Pre-Application Conference**

Prior to filing of an application for a conditional use, the applicant must attend a pre-application conference in accordance with Section 470.010B.

## C. Applications

An application for a conditional use may be obtained from the Community Development Director. The application must be completed in its entirety in accordance with Section 470.010C and filed with

the Community Development Director so that a public hearing date can be established in accordance with Section 470.010E.

## D. Procedure *(Amendment 16 – Ordinance 2013-056 8.26.13)*

### 1. Planning and Zoning Commission Public Hearing

All proposed conditional use applications first must be submitted to the Planning and Zoning Commission for review and recommendation. The Planning and Zoning Commission will hold a public hearing on the application in accordance with Section 470.010E. The public hearing must be held at the next regular meeting of the Planning and Zoning Commission for which the application may be scheduled given public notice deadlines, unless the applicant has consented to an extension of this time period. The Community Development Director or other appointed official as designated by the Planning and Zoning Commission must prepare a written summary of the proceedings, and give notice of the hearing as provided in Section 470.010E.

### 2. Planning and Zoning Commission Recommendation

Upon conclusion of the public hearing, the Planning and Zoning Commission will submit a recommendation to the City Council to approve, approve with modifications or disapprove the proposed conditional use. If a motion on an application fails, the Planning and Zoning Commission shall be required to propose and vote on a counter motion on the application. If a tie vote of the Commission, or if no majority vote of the full membership of the Commission can be obtained on a recommendation to be made, the application will be forwarded to the City Council with no recommendation. The Commission must submit its recommendation along with a record of the public hearing thereon, to the City Council. The Planning and Zoning Commission may include reasonable conditions as a part of its recommendation.

### 3. City Council Public Hearing

The Raymore City Council must hold a public hearing on the application in accordance with Section 470.010E1b through d and E2.

### 4. City Council Action

a. The City Council must consider the request for a conditional use permit within 60 days of receipt of written recommendation of the Planning and Zoning Commission. Upon receipt of the recommendation of the Planning and Zoning Commission, the City Council must consider the application and may approve, approve with conditions or disapprove the application. If the City Council approves an application, it will adopt an ordinance to that effect.

### b. Conditions of Approval *(Amendment 8 – Ordinance 2011-9 2.28.11)*

(1) In approving a conditional use, the City Council may impose conditions, safeguards and restrictions upon the applicant and the premises that will benefit from the conditional use as may be necessary.

- (2) The City Council may:
  - (a) limit the conditional use permit to a specific time period;
  - (b) allow the conditional use permit to be transferrable; or
  - (c) allow the conditional use permit to be renewed.

**E. Findings of Fact** (*Amendment 22 – Ordinance 2015-068 - 9.14.15*)

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. the proposed conditional use complies with all applicable provisions of this Unified Development Code;
2. it is in the interest of the public welfare or convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community;
3. the proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located;
4. it is compatible with the character of the surrounding property in terms of site planning, building scale and project design;
5. it is compatible with the character of the surrounding property in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation;
6. whether the location, size, nature or intensity of the proposed conditional use would prevent the development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the conditional use will adversely affect the immediate neighborhood, consideration must be given to:
  - a. the location, nature and height of buildings, structures, walls, and fences on the site, and
  - b. the nature and extent of landscaping and screening on the site.
7. off-street parking and loading areas will be provided in accordance with the standards set forth in Section 425.020 and Section 425.070, such areas will be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect;
8. existing public facilities (infrastructure) and services are adequate to accommodate the additional demands of the proposed use or will be made to accommodate such demands without substantially increasing public expenditures;
9. it will not have a significant adverse impact on pedestrian safety and comfort;
10. adequate access roads or entrance and exit drives will be provided and will be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys; and
11. all special conditions have been met as set forth by Chapter 420.

## PREVIOUS ACTIONS ON THE PROPERTY

1. The Raymore Municipal Complex First Plat was recorded on March 10, 2003.
2. The City acquired Lots 8 and 9 on October 15, 2015.
3. The zoning of Lots 8 and 9 was reclassified from “C-2/CCO” General Commercial/City Center Overlay District to “PR/CCO” Parks, Recreation and Public Use/City Center Overlay District on January 11, 2016.

## STAFF COMMENTS

1. Development Standards: The development standards applicable to the property are as follows:

PR	
<b>Minimum Lot Area</b>	
per lot	-----
per dwelling unit	n/a
<b>Minimum Lot Width (ft.)</b>	70
<b>Minimum Lot Depth (ft.)</b>	n/a
<b>Yards, Minimum (ft.)</b>	
Front	10
rear	30
side	30
<b>Maximum Building Height (feet)</b>	35
<b>Maximum Building Coverage (%)</b>	40

2. Special Use Conditions: There are no use-specific standards or conditions.
3. Parking: A place of public assembly must comply with the following parking standard:

Use	Minimum Parking Spaces Required
<b>PUBLIC AND CIVIC USES</b>	
Place of Public Assembly	1 per 4 seats in the largest auditorium or 1 per 800 square feet, whichever is greater

The building will contain 8,400 square feet of area with a capacity of 300± capacity in the community room. A total of 75 parking spaces are required.

The conceptual site plan provides 50 parking spaces on site. Since the building is located within the Municipal Complex, on-street parking is counted toward the

parking requirement. A total of 6 parking spaces are available along Municipal Circle in front of the building. Additionally, since shared parking is allowed in the City Center Overlay District, a reduction of up to 30% of the required number of spaces is allowed. With a 30% shared parking reduction, the total number of parking spaces required is 53. A total of 56 spaces are provided.

There are a total of 230 parking spaces in the Municipal Center Complex. All parking spaces in the Municipal Center Complex are available for shared parking.

#### 4. Landscaping

Twenty percent (20%) of Lots 8 and 9 will be required to be reserved for landscaped area. A landscaped area with a minimum width of six feet shall be provided along all street frontages and along all perimeter property lines.

The adjacent land to the south of Common Area Tract A is utilized for two-family residential development. Screening between the residential uses and the public space/recreational uses of Lots 8 and 9 and Common Area tract A should be provided.

Details on landscaping are provided as part of site plan review.

#### 5. Building Design:

The proposed building is in compliance with the building design standards contained in Section 440.010 of the Unified Development Code and with the Development Criteria applicable in the Municipal Complex.

#### 6. Pedestrian Access:

Pedestrian Access to the building will be provided with the completion of the sidewalk segment in front of the building along Municipal Circle. Sidewalk already exists along Broadmoor Drive. The conceptual plan also includes trail links with both Sunset Lane and High Point Lane.

#### 7. Stormwater Management: Stormwater will be collected on site and discharged to the detention basin in Common Area Tract A. Stormwater Treatment enhancements will be completed as part of the project.

#### 8. Site Lighting: The proposed site lighting plan is in compliance with the outdoor lighting performance standards of the City and with the Development Criteria for the Raymore Municipal Complex.

#### 9. Trash Enclosure: The exterior of the trash enclosure will be constructed of the same materials as the main building. The exact location of the enclosure will be

determined at the time of site plan review. Initial plans have the enclosure accessible from the on-site parking lot.

10. Screening of Mechanical Equipment: All electrical and mechanical equipment located adjacent to the building shall be screened from view from adjacent properties and any adjacent street. Accessory utility facilities that are in excess of 3 ½ feet shall be screened. The landscape plan will be submitted as part of site plan review.

11. Site Access

Vehicular access to the site will be provided off of Broadmoor Drive. The principal access to the building will be off Municipal Circle. There will also be a rear entry to the building with sidewalk connectivity to the parking lot area

12. Building Use

The principal use of the building will be for community meeting space. A large community room (approximately 4,500 square feet) is provided for community gatherings. The community room will have direct access to the central lawn area to the south of the building to allow for indoor/outdoor events. A warming kitchen attached to the community room is provided for catered events. A 2nd meeting room (approximately 400 square feet) is provided for small meetings.

The building will also be utilized for administration offices for the Parks and Recreation Department.

A spacious lobby area exists to provide gallery space, seating areas for conversations, and general gathering space for events held on site.

13. Common Area Use

Common Area Tract A will remain as the stormwater detention basin for the Municipal Complex. There will be stormwater treatment enhancements completed to improve the functionality of the basin. Additionally, the common area will be utilized as an outdoor learning laboratory for activities such as Nature Quest. A trail is proposed for the north side of Tract A to allow for pedestrian connectivity to the south, east and west.

The Central lawn area south of the building can be utilized for smaller outdoor events. The lawn area is accessible from the lobby and the community room. The lawn area is intended to be a gathering space for residents to enjoy.

Uses for the building and lawn area may include private events such as weddings and graduation parties.

## **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 proposed conditional use complies with all applicable provisions of the Unified Development Code.

The proposed conditional use does comply with all applicable provisions of the Unified Development Code.

2. it is in the interest of the public welfare or convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community.

The proposed use is in conformance with the intended uses of the Municipal Complex. The use is for a meeting space for public and private events. The building is situated close to Municipal Circle, with lawn area and common open space providing a buffer to residential land uses to the south.

3. the proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located.

The proposed conditional use request will not cause injury to the value of other property in the neighborhood. The use is consistent with commercial uses that were previously permitted by right on the property.

4. it is compatible with the character of the surrounding property in terms of site planning, building scale, and project design.

The use is consistent with uses that were previously permitted by right on the property. The building scale and site design are consistent with the development criteria for the subdivision. The building and parking area are pushed as far from the residential area as is allowed by code.

5. it is compatible with the character of surrounding property in terms of operating characteristics, such as hours of operation, outdoor lighting, noise, and traffic generation.

The proposed conditional use is compatible with the characteristics of uses that are permitted by right in the Municipal Complex.

6. the location and size of the conditional use, the nature or intensity of the proposed conditional use would prevent the development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the conditional use will adversely affect the immediate neighborhood, consideration must be given to:

a. the location, nature and height of buildings, structures, walls, and fence on the site, and

The proposed conditional use should not adversely affect the immediate neighborhood. The use is consistent with other uses allowed within the Municipal Complex. The building and parking areas are pushed towards the front of the lots, away from the residential property..

b. the nature and extent of landscaping and screening on the site.

There is some screening that currently exists upon the site. Additional screening is necessary along the south side of Common Area Tract A. Additional landscaping is proposed to be added to the site.

7. off-street parking and loading areas will be provided in accordance with the standards set forth in the Unified Development Code, and such areas will be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect.

Off-street parking areas are adequate to comply with the requirements of the Unified Development Code. The proposed parking lot is pushed to the north of the lots, away from residential uses.

8. existing public facilities (infrastructure) and services are adequate to accommodate the additional demands of the proposed use or will be made to accommodate such demands without substantially increasing public expenditures.

Existing public facilities that service the site are adequate to accommodate any demands of the proposed conditional use.

9. it will not have a significant adverse impact on pedestrian safety and comfort.

The proposed conditional use will have no impact on pedestrian safety and comfort. Additional pedestrian connections are proposed as part of the project.

10. adequate access roads or entrance and exit drives will be provided and will be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys; and

The proposed conditional use will utilize an entrance and exit drive off of Broadmoor Drive.

11. all special conditions have been met as set forth by Chapter 420.

There are no special conditions set forth by Chapter 420 for this Conditional Use Permit request.

## **REVIEW OF INFORMATION AND SCHEDULE**

<u>Action</u>	<u>Planning Commission</u>	<u>City Council 1st</u>	<u>City Council 2nd</u>
Public Hearing	June 7, 2016	June 13, 2016	June 27, 2016

## **STAFF RECOMMENDATION**

The staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and recommend approval of Case #16009 Raymore Municipal Center Public Building subject to the following conditions:

1. Landscape screening shall be provided on the south side of Common Area Tract A south of Municipal Complex Lots 8 and 9.
2. The site plan application shall be consistent with the conceptual site plan and building elevations submitted as part of this conditional use permit application. Minor modifications are permitted as final design is completed.

**KEY:**

- A** ANNEX
- B** PARKING [50 STALLS]
- C** STREETScape/ON-STREET PKG
- D** PATIO
- E** CENTRAL LAWN
- F** TREE GROVE
- G** POTENTIAL SCULPTURE LOCATION
- H** INTERPRETIVE TRAIL
- I** RENOVATED STORMWATER BASIN
- J** GATHERING NODE

**NOTE:**

*The proposed layout and design of the annex site, trail, and stormwater improvements are conceptual in nature. Alterations to this plan may occur as the project progresses forward.*









To: Planning and Zoning Commission  
From: City Staff  
Date: June 7, 2016  
Re: Case #16010 - Closure of Ryan's Access

## GENERAL INFORMATION

Applicant: City of Raymore  
Property Owner: Realty Income Corporation  
11995 El Camino Real  
San Diego, CA 92130  
Requested Action: Request for permanent closure and removal of the access drive from 58 Highway to the former Ryan's Restaurant at 1918 W. Foxwood Drive  
Property Location: 1918 W. Foxwood Drive  
Aerial Photograph:



**Proposed Access Modification:**

Section 530.010 of the Raymore City Code states the City of Raymore shall have exclusive control over its public highways, streets, avenues, alleys, public places or any other public ways and shall have exclusive power to vacate, abandon or change any public highway, street, avenue, alley or public place or part thereof. The code indicates no public street shall be vacated, narrowed, relocated, extended, removed, widened, accepted, acquired, changed in use, sold or leased until it has been submitted to and approved by the Planning Commission after a public hearing.

The proposed permanent closure and removal of the existing access drive from West Foxwood Drive (Missouri 58 Highway) to the former Ryan's Restaurant located at 1918 W. Foxwood Drive is deemed by staff to be a change in use in the street right-of-way and requires a public hearing, recommendation by the Planning Commission, and approval by the City Council.



Advertisement: May 19, 2016 Journal Newspaper  
May 26, 2016 Journal Newspaper

Public Hearing: June 7, 2016 Planning and Zoning Commission

- Items of Record:
- Exhibit 1. Mailed notices to adjoining property owners
  - Exhibit 2. Notice of publication in The Journal
  - Exhibit 3. Unified Development Code
  - Exhibit 4. Growth Management Plan
  - Exhibit 5. Missouri 58 Access Management Map
  - Exhibit 6. Staff Report

Additional exhibits as presented during the hearing

## ACCESS MODIFICATION REQUIREMENTS AND STANDARDS

In order for the City to permanently close and remove the access drive the procedures outlined in Section 530.010 must be followed.

Section 530.010: Procedures for Vacation and Other Street Changes

- A. The City of Raymore shall have exclusive control over its public highways, streets, avenues, alleys, public places or any other public ways and shall have exclusive power to vacate, abandon or change any public highway, street, avenue, alley or public place or part thereof. The word "street" shall be used to include all such public ways and places as listed above. It shall also include the entire right-of-way, both the improved and unimproved areas. The term "public highway" shall also include any part of a State highway under local control and maintenance.
- B. Vacation Of Street—Generally.
  - 1. No vacation of a street shall take place, unless the consent of the persons owning two-thirds (2/3) of the property immediately adjoining has been obtained in writing, which consent shall be acknowledged before a Notary Public and filed for record in the Recorder of Deeds office. If the street is vacated, all title thereto shall vest in the person owning the property on each side thereof in equal proportions according to the length or breathe of such ground, as the same may border on such street.
  - 2. No public street shall be vacated, narrowed, relocated, extended, removed, widened, accepted, acquired, changed in use, sold or leased until it has been submitted to and approved by the Planning Commission after a public hearing. This hearing may not be combined with any other public hearing or with site plan approval. In case of disapproval, the Planning Commission shall communicate its reasons to the Council. Failure of the Commission to act within sixty (60) days after date of official submission to it shall be deemed approval.
  - 3. After holding a public hearing the City Council, by a vote of not less than two-thirds (2/3) of its entire membership, may overrule the disapproval of the Commission and, upon the overruling, the Council or appropriate board or officer may proceed.
- C. Public Hearing.
  - 1. All applications for street changes as outlined in Subsection (B), Paragraph (2), above, may only be considered at a public hearing following notice to surrounding property owners. Due to the very short length of the blocks and from sixty-seven (67) to

seventy-two (72) foot right-of-ways in the Original Town of Raymore any application regarding a single block of a street or streets in the area bounded by Madison, Elm, Walnut and Monroe must include the entire street within that area with all surrounding property owners receiving notice.

2. Notice shall be published for two (2) consecutive weeks in the official City newspaper. The notice shall state the application has been filed in the office of the City Clerk, describing the property fully and that a hearing thereon before the Planning Commission will be held on a date certain after the completion of such publication notice, naming the day on which the hearing will be held and that at such time and place all persons interested can appear and be heard concerning the application.
- D. No public street including that part of a State highway under local control and maintenance shall have any obstruction or encroachment, which threatens or causes a condition which threatens public health or safety. Said obstruction or encroachment may be removed within thirty (30) days after a written protest by at least fifty (50) registered voters of the City of Raymore and a public hearing and vote of the City Council. This does not apply to any temporary obstructions of three (3) months or less duration due to street repair.
- E. Before final plat approval, the Council may, at its discretion, require such changes or alterations thereon as may be found necessary to make such map or plat conform to any street development plan which may have been adopted or appear desirable, and to the requirements of the duly enacted ordinances of the City of Raymore relating to the laying out and platting of subdivisions of land within the City limits.

## **PREVIOUS ACTIONS ON THE PROPERTY**

1. The initial site plan for Ryan's Restaurant was approved by the City in 1995. The site had 2 access drives onto Kentucky Road. There was no access directly to Missouri 58 Highway.
2. In 1996 the City began planning improvements to widen Missouri 58 Highway. Part of the design process was for the southernmost access drive onto Kentucky Road be removed and a new access, to be shared with the undeveloped land to the east of the Ryan's Restaurant, be added along 58 Highway.
3. In 2001 the final plan for the access drive onto 58 Highway as it exists today was approved.
4. In 2010 the City approved the Raymore Galleria North First Final Plat. This plat included right-of-way for the relocation of Kentucky Road to align with the access drive to the Raymore Galleria shopping center on the south side of 58 Highway.
5. The segment of relocated Kentucky Road immediately east of Ryan's Restaurant and the traffic signal were accepted by City Council in November of 2011.
6. In 2016 the City of Raymore completed construction of an access drive from the north portion of the Ryan's parking lot to connect with relocated Kentucky Road. This access drive allows users of the Ryan's parking lot to access relocated Kentucky Road and the traffic signal on 58 Highway.

7. On May 5, 2016 the Public Works Director authorized the placement of barricades to temporarily close the access drive to 1918 W. Foxwood Drive onto 58 Highway due to safety concerns.

## STAFF COMMENTS

1. The access drive to Ryan's Restaurant on 58 Highway is approximately 30 feet west of relocated Kentucky Road, as illustrated below:



2. The location of the Ryan's access drive to the relocated Kentucky Road intersection has resulted in a number of traffic issues which the City is seeking to address by removal of the access drive. The Raymore Police Department has reported that, over the past several years, the number of traffic accidents at the access drive has increased. The increase has been attributed to the close proximity of the access drive to the intersection and not just to statistical increases in traffic volume along 58 Highway.
3. Accidents at the access drive have occurred when vehicles attempt to turn left onto the property from eastbound 58 Highway prior to the intersection of relocated Kentucky Road. In doing so, the vehicles attempting to access the property have inadvertently blocked vehicles attempting to turn northbound at the intersection. The Raymore Police Department has also reported incidents where vehicles turning left onto the property from eastbound 58 Highway have blocked the through

lane as they attempt to merge ahead of vehicles waiting to turn left at the intersection.

4. For westbound traffic on 58 Highway the Police Department has reported accidents caused by vehicles slowing down to make a right-hand turn onto the property as soon as they have traversed the intersection. The accidents involve individuals who have been heading westbound on 58 Highway and those merging onto westbound 58 Highway from the north.
5. In order to address the safety concerns while providing adequate access to the Ryan's property the City, at its cost, constructed an access drive from the north side of the Ryan's parking lot to relocated Kentucky Road. The access drive aligns with the private road that provides access to Firestone Auto Center and Belfonte's Car Wash.
6. City staff is proposing to permanently close and remove the access drive when resurfacing of 58 Highway occurs this summer. The work would include new curb and sidewalk within the street right-of-way; installation of new curb in the Ryan's parking lot where the access drive is currently located; and grading and seeding of the disturbed areas.
7. On February 24, 2016 the City Attorney made initial contact with the property owner regarding the City's desire to close and remove the access drive. On May 20, 2016 the City Attorney provided notice of the public hearing to be held by the Planning and Zoning Commission on June 7th regarding the proposal to close the access drive.

## **STAFF PROPOSED FINDINGS OF FACT**

1. The location of the access drive to 1918 W. Foxwood Drive off Missouri 58 Highway is located too close to the intersection of relocated Kentucky Road and 58 Highway. The City Transportation Master Plan indicates access points along major arterials (58 Highway) should be limited to one-eighth mile.
2. A traffic signal exists at the intersection of relocated Kentucky Road and 58 Highway. This signal allows for safe and controlled turning movements to occur onto and off of 58 Highway.
3. An access drive from relocated Kentucky Road was installed to provide direct access from relocated Kentucky Road (classified as a minor arterial) to the parking lot at 1918 W. Foxwood Drive. With this new access drive there remain two access points to the parking lot if the access drive to 58 Highway is permanently closed and removed.

4. Traffic accident data provided by the Raymore Police Department indicate that accidents have occurred due to the close proximity of the access drive to 1918 W. Foxwood Drive and 58 Highway to the signalized intersection at relocated Kentucky Road.
5. With the approval by Raymore voters of the issuance of General Obligation bonds, relocated Kentucky Road will be completed and become a vital north/south route for motorists to utilize. Traffic volume will increase and the new access drive to the parking lot will become a major entrance for the site.

## **REVIEW OF INFORMATION AND SCHEDULE**

<u>Action</u>	<u>Planning Commission</u>	<u>City Council 1st</u>	<u>City Council 2nd</u>
Public Hearing	June 7, 2016	June 13, 2016	June 27, 2016

## **STAFF RECOMMENDATION**

The staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case #16010, permanent closure and removal of the access drive from 1918 W. Foxwood Drive to 58 Highway, to the City Council with a recommendation of approval.



Kentucky Rd

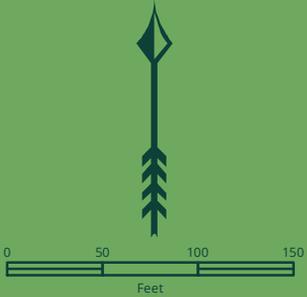
Access Provided

Subject Site

W Foxwood Dr

Published Date:  
05/17/2016

- ### Legend
-  Arterial access provided
  -  Arterial access removed



# MO58

RAYMORE, MISSOURI

## Access Management



To: Planning and Zoning Commission  
From: City Staff  
Date: June 7, 2016  
Re: Case #16007 - Cadence Raymore Site Plan

## GENERAL INFORMATION

Applicant/  
Property Owner: Raymore Partners, LLC  
10985 Cody, Suite 220  
Overland Park, KS 66210

Requested Action: Site plan approval

Property Location: Southeast corner of Dean Avenue and 58 Highway

2014 Aerial Photograph:



Property Photographs:



View from Dean Avenue looking northeast



View from Dean Avenue looking north



View from Dean Avenue & 58 Highway intersection looking east along 58 Highway



View from Dean Avenue & 58 Highway intersection looking south



View looking north at where access drive to site will match up with Kentucky Road



View looking north at where 2nd access point will be shared with Golden Corral

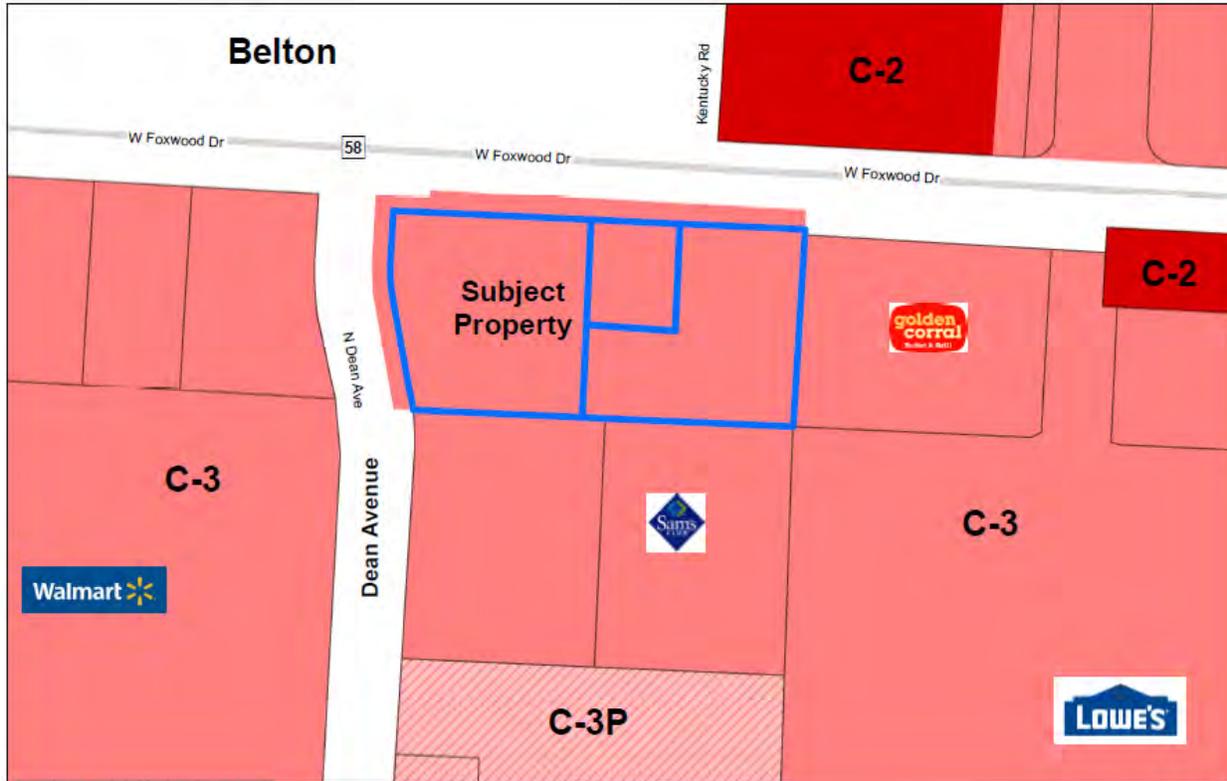


View from Lowe's parking lot looking northwest at site



View from Golden Corral looking west at site

Existing Zoning: "C-3" Regional Commercial District



Existing Surrounding Uses: North: Commercial  
South: Commercial (UMB & Sam's Fuel Station)  
East: Commercial (Golden Corral)  
West: Commercial

Total Tract Size: 3.06 acres

Subdivision Plat: Dean Family Farm First Plat

Growth Management Plan: The Future Land Use Plan Map contained in the Growth Management Plan identifies this property as appropriate for commercial development.

Major Street Plan: The Major Thoroughfare Plan Map contained in the Growth Management Plan has Foxwood Drive (58 Highway) classified as a major arterial and Dean Avenue classified as a minor arterial.

Advertisement: City Ordinance does not require advertisement for Site Plans.

Public Hearing: City Ordinance does not require a public hearing for Site Plans.

## **PROPOSAL**

Outline of Requested Action: The applicant seeks to obtain site plan approval for a commercial development proposed for the southeast corner of Dean Avenue and West Foxwood Drive (58 Highway). The site plan is for two of the three planned commercial lots. The easternmost commercial lot is not being considered as part of this site plan.

## **SITE PLAN REQUIREMENTS AND STANDARDS**

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 site plan property, specifically Section 470.160.

### Section 470.160 Site Plan Review

#### A. Purpose

The City of Raymore recognizes that the nature of land development creates the potential for traffic congestion, overcrowding, adverse visual and environmental impacts, and health problems. The City strives to promote growth in Raymore while stabilizing the established residential character of the area. Site plan review regulates the development of structures and sites in a manner that takes into consideration the following considerations:

1. the balancing of landowners' rights to use their land, with the corresponding rights of neighboring landowners, residents and the general public, to live without undue disturbances (e.g., noise, smoke, vibration, fumes, dust, odor, glare, stormwater runoff, etc.);
2. the convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent areas or roads;
3. the adequacy of waste disposal methods and protection from pollution of surface or ground water;
4. the protection of historic and environmental features on the site under review and in adjacent areas;
5. the stability of the built environment, particularly residential neighborhoods, by promoting urban development which is compatible with clearly identified natural resources; and
6. the adequacy of provisions for resulting additional system demands which may be imposed by the development upon roads and streets, water supply and storage, storm sewerage, and sanitary sewerage and wastewater treatment and the consistency of the development with the City's Growth Management Plan.

B. Applicability

1. All applications for building permits for developments in the multi-family, commercial and industrial zoning districts are subject to site plan review in accordance with this section. All nonresidential uses in residential districts require site plan review.
2. No building permit will be issued without being granted site plan approval when it is required by this subsection.

C. Application

Applications for site plan review may be obtained from the Community Development Director. The application must be completed in its entirety in accordance with Section 470.010C and filed with the Community Development Director. The applicant must submit copies in accordance with the submission schedule regularly adopted by the Planning and Zoning Commission.

D. Procedure

1. Community Development Director Action

- a. All site plans will be reviewed by the Community Development Director.
- b. The Community Development Director has the authority to take final action (approve, conditionally approve or deny) on applications for:
  - (1) developments that have an approved site plan on file where the application proposes to expand the existing use by less than 10 percent or 5,000 square feet, whichever is less; or
  - (2) developments that have an approved site plan on file where the application proposes to modify signage, parking, landscaping or other minor feature and the proposed modifications will be in compliance with all requirements of this Code.
- c. The Community Development Director must complete the review within 20 days of receiving a complete application.

2. Planning and Zoning Commission Action

With the exception of those cases identified in paragraph 1 above, all other applications for site plan review will be reviewed by the Community Development Director, and forwarded to the Planning and Zoning Commission for review and action. The Commission has the authority to take final action, and may approve, approve with conditions or disapprove the application.

3. Conditions of Approval

In approving a site plan, the Planning and Zoning Commission or, when applicable the Community Development Director, may impose reasonable conditions, safeguards and restrictions upon the applicant and the premises.

E. Findings of Fact

1. In order to be approved, the Community Development Director or Planning and Zoning Commission must find that the following conditions are met:
  - a. the plan complies with all applicable standards of this code and all other applicable City ordinances and policies;
  - b. the plan does not conflict with the adopted plans of the City of Raymore or the purpose and intent of this code;
  - c. the proposed use is allowed in the district in which it is located;
  - d. vehicular ingress and egress to and from the site, and circulation within the site provides provides for safe, efficient, and convenient movement not only within the site but also on adjacent roadways;
  - e. the plan provides for safe, efficient, and convenient movement of pedestrians on and to the site;
  - f. the arrangement of structures and buildings on the site allows for efficient use of the land, is compatible with development on adjacent property, and minimizes potential adverse impacts on existing or planned municipal infrastructure and services;
  - g. open space and natural features on the site are arranged in such a way that unique natural resources are preserved and creates a desirable and functional environment for site users;
  - h. the plan avoids unnecessary or unreasonable alterations to existing topography, preserves existing healthy, mature trees and woodlands, and designs drainage facilities to promote the use and preservation of natural watercourses;
  - i. provides adequate parking for the use, including logical and safe parking and circulation;
  - j. provides landscaping and screening as required by this code that creates logical transitions to adjoining uses, screens incompatible uses, minimizes the visual impact of the development on adjacent roads and properties, and utilizes native plant materials selected to withstand the local climate and individual site microclimates; and
  - k. includes site illumination that has been designed and located to minimize adverse impacts on adjacent properties.

F. Effect of Approval

If the Planning and Zoning Commission or, when applicable, the Community Development Director approves a site plan, it will be considered permission to prepare and submit a building permit application that complies with the approved site plan and conditions of approval.

G. Appeals

1. The applicant may appeal the decision of the Community Development Director to the Planning and Zoning Commission.

- a. The applicant must notify the Community Development Director of their intent to appeal within 10 days of the date of decision from the Community Development Director.
  - b. The Community Development Director will schedule the appeal for the next regularly scheduled Planning and Zoning Commission meeting which is no sooner than 15 days from the date the intent to appeal was filed.
  - c. The applicant must provide an additional 15 review copies of the drawings and the additional required fee along with the intent to appeal.
2. The applicant may appeal the decision of the Planning and Zoning Commission to the City Council.
    - a. The applicant must notify the Community Development Director of their intent to appeal, in writing, within 10 days of the date of the Planning and Zoning Commission meeting when the application was considered.
    - b. The Community Development Director will schedule the appeal for the next regularly scheduled City Council meeting provided it is at least 15 days from the date the intent to appeal was filed.
    - c. The applicant will provide an additional 15 review copies of the drawings along with the intent to appeal.

## **PREVIOUS ACTIONS ON THE PROPERTY**

1. The subject property was annexed into the City of Raymore on March 25, 1985. The zoning of the property at the time of annexation was "A" Agricultural District.
2. The zoning of the property was reclassified from "A" Agricultural District to "C-3" Regional Commercial District, on December 12, 2011.
3. The Dean Family Farm First Plat, a 3-lot subdivision, was recorded on February 1, 2012.
4. The Highway 58 & Dean Avenue Tax Increment Financing Plan for the property was approved by the City Council on March 14, 2016.

## **ENGINEERING DIVISION COMMENTS**

Please refer to the attached memorandum.

## STAFF COMMENTS

1. Development Standards: The development standards applicable to the property are as follows:

C-3	
<b>Minimum Lot Area</b>	
per lot	-----
per dwelling unit	2,000 sq.ft.
<b>Minimum Lot Width (ft.)</b>	100
<b>Minimum Lot Depth (ft.)</b>	100
<b>Yards, Minimum (ft.)</b>	
Front	30
rear	20
side	10
<b>Maximum Building Height (feet)</b>	80
<b>Maximum Building Coverage (%)</b>	50

2. Special Use Conditions: Section 420.030F applies:

420.030 Use Specific Standards - Commercial Uses

### F. Restaurant

1. The sale of alcoholic beverages will be permissible only as an adjunct, minor and incidental use to the primary use which is the sale and service of food.
2. Restaurants with drive-through facilities must meet the requirements of Section 420.030L.

## 420.030 Use Specific Standards - Commercial Uses

### L. Drive-through Facilities

#### 1. General

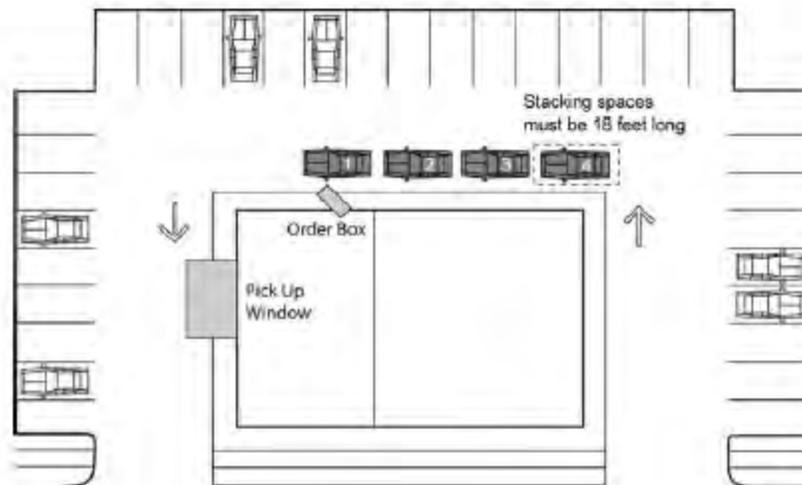
Drive-through facilities are permitted as indicated in the use table in Section 410.020.

#### 2. Vehicle Stacking Areas

- a. Each drive-through facility must provide the minimum vehicle stacking spaces as follows:

The following requirements shall be followed in determining the minimum stacking length per lane:	
Use	Stacking Requirement
Financial Institution	
- teller lane	3
- ATM	3
Car Wash	
- automatic service	4
Restaurant	4 behind menu board
Pharmacy	2
Other uses	To be determined by the Director

- b. Vehicle stacking spaces include the space at the menu board, order box or service window.
- c. Each vehicle stacking space shall be 18 feet long by 9 feet wide.
- d. Each vehicle stacking lane shall be separate from any access aisle, loading space, or parking space.
- e. No vehicle stacking lane shall conflict with any vehicle entrance or exit, vehicle access way or pedestrian crosswalk.
- f. The Commission has the authority to allow a deviation to the stacking requirement based upon a study submitted by a traffic engineer which provides evidence to allow the reduction of these stacking requirements.



3. Parking: Commercial uses must comply with the following parking standards:

Use	Minimum Parking Spaces Required
<b>COMMERCIAL USES</b>	
Eating and Drinking Establishment	1 per 4 seats or 1 per 50 square feet of customer service area, whichever is greater
Retail Sales	1 space per 300 square feet

Based upon known users of some of the commercial space (Kay Jewelers; Qdobe) a total of 64 parking spaces are required on Lots 1 and 2. A total of 155 spaces are provided. A total of 6 parking spaces are provided for the physically disabled. Two of the spaces are marked Van Accessible Only as required. The required number of accessible spaces have been provided.

4. Landscaping

Twenty percent (20%) of the lot is required to be reserved for landscaped area. A landscaped area a minimum of six feet in width shall be provided along all street frontages and along all perimeter property lines. A total of twenty-seven percent (27%) of the site is provided with landscaping. A minimum of fifteen feet (15') of landscaped area is provided along each street frontage and along the private drive to the south.

No screening is required for this development.

All of the required perimeter trees and the required parking lot trees and shrubs are provided as required.

Landscaping is provided around the proposed monument signs as required.

5. Building Design:

The proposed building is in compliance with the building design standards contained in Section 440.010 listed below.

Section 440.010 Building Design Standards

C. Building Materials

1. Masonry Construction

A minimum of 50 percent of front and side facades shall consist of materials described by this sub-section.

- a. Masonry construction shall include all masonry construction which is composed of solid, cavity, faced or veneered-wall construction, or

similar materials approved by the Planning and Zoning Commission.

- b. Stone materials used for masonry construction may consist of granite, sandstone, slate, limestone, marble or other hard and durable all-weather stone. Ashlar, cut stone and dimensioned stone construction techniques are acceptable.
- c. Brick material used for masonry construction shall be composed of hard-fired (kiln-fired), all weather common brick or other all-weather common brick or all-weather-facing brick.
- d. Concrete finish or precast concrete panel (tilt wall) construction shall be exposed or aggregate, hammered, sandblasted or other finish as approved by the Planning and Zoning Commission.
- e. Stucco or approved gypsum concrete/plaster materials are also permitted.

## 2. Glass Walls

Glass walls shall include glass-curtain walls or glass-block construction. A glass-curtain wall shall be defined as an exterior wall which carries no floor or roof loads and which may consist of a combination of metal, glass and other surfacing materials supported in a metal frame.

## 3. Metal Walls

- a. The use of metal siding is permitted only in industrial districts and only for side and rear façades. The materials used on the front façade shall be incorporated into any façade visible from a public street to break up the monotony of those facades.
- b. The use of corrugated panels, with a depth of less than three-quarter inch or a thickness less than U.S. Standard 26 gauge is prohibited.
- c. The use of unpainted metal panels, excluding panels made from copper, weathering steel, or stainless steel, is prohibited. The color finish of metal panels and exposed fasteners shall have extended durability with high resistance to fade and chalk.
- d. Corrugated metal facades shall be complemented with masonry, whether brick, stone, stucco or split-face block. Architectural metal panels may be an acceptable substitute for masonry. Appropriate landscaping shall be used to complement and enhance a building's design, color and material.

## 6. TIF Redevelopment Agreement Required Building Design

A component of the Tax Increment Financing Redevelopment Agreement for the project was the inclusion of design standards for the project. The agreement states:

C. Design Standards.

1. Given the prominent and unique location of the Redevelopment Project, the architectural design of the structures shall incorporate “four sided architecture” which minimizes the appearance of a rear side on each structure. Significant accent and design features shall be used, together with other focal points for architectural interest such as, but not limited to, towers, canopies, alcoves, entranceways or overhangs. All electrical power distribution lines, telephone lines, cable television and other utility lines which are constructed by or at the direction of Developer and installed to serve the Redevelopment Area shall be installed underground. All HVAC and mechanical equipment, excluding wall-mounted equipment, shall be screened. Roof equipment shall be screened and made a part of the architecture of the building and is to be painted to match the building or roof color, if visible to the public. Ground equipment shall be screened, or painted to match the building color in the event that there is insufficient space to provide such screening, as appropriate based on the location of such equipment. Wall mounted equipment shall, to the greatest extent possible, be colored and placed as not to detract from the overall aesthetic value of the Redevelopment Project. All landscape features including trees or any other type of vegetation installed by Developer or Tenants shall be maintained in living state for the duration of the development. Non-vegetative landscape features shall be regularly and actively maintained to preserve a positive visual appearance. The appearance of exterior down spouts shall be coordinated with the building design, including color, design and placement. All gas meters shall be screened, or painted to match the building color in the event that there is insufficient space to provide such screening, as appropriate based on the location of such equipment.

Staff has determined that the building elevations submitted are compliant with the spirit and intent of the design standards.

7. Pedestrian Access:

Pedestrian Access to the two buildings from the sidewalk along Foxwood Drive has been provided. Sidewalk currently exists along Foxwood Drive and Dean Avenue. No sidewalk is required along the north side of the private drive that exists to the south of the development.

8. Signage: A master signage plan was submitted with the application. Signage is not approved as part of the site plan but is shown for illustration purposes only. A sign permit is required prior to installation of any sign.

The proposed location and design of the monument signs for each lot are in compliance with the UDC.

Included in the Tax Increment Financing Redevelopment Agreement for the project was the inclusion of a monument sign for the City. This sign is to be located in the northwest corner of Lot 1 and will be an entry “welcome to Raymore” feature for the City. The design of the sign is not part of this site plan approval.

9. Fire District Review: The site plan was reviewed by the South Metropolitan Fire Protection District. Comments regarding access to the site and turning radius for fire equipment have been addressed.

The South Metropolitan Fire Protection District requires the issuance of a building permit from the district. This permit is in addition to the building permit issued by the City of Raymore.

10. Stormwater Management / Stormwater Treatment: Stormwater will be collected on site and discharged to an underground storage tank. Stormwater will be retained and released from the storage tank to the existing storm sewer network for the City. A preliminary stormwater treatment plan has been approved by the City. Final design of the stormwater detention and treatment facilities will be reviewed by the Public Works Department prior to issuance of permits for the work.
11. Site Lighting: The proposed site lighting plan is in compliance with the outdoor lighting performance standards of the City. Parking lot lighting poles will be 30' tall with a 90 degree cutoff fixture.
12. Trash Enclosure: Each lot is provided with a trash enclosure. The exterior of the trash enclosure will be constructed of the same materials as the building being served. The enclosure on lot 2 is located immediately adjacent to and south of the building. The enclosure on lot 1 is located along the south property line.
13. Screening of Mechanical Equipment: All electrical and mechanical equipment located adjacent to the building shall be screened from view from adjacent properties and any adjacent street. Accessory utility facilities that are in excess of 3½ feet shall be screened. This requirement will be monitored when the equipment is installed to determine the applicability of the requirement.
14. Site Access

The primary access to the site will be provided off of Foxwood Drive. There will be a deceleration lane for eastbound traffic on Foxwood Drive. There will be a left/thru and right-turn lane available for vehicles exiting the site to the north.

A 2nd access point will be provided from the Golden Corral access area off the private drive adjacent to the south. Though this access crosses through Lot 3 it will be constructed as part of the site plan approval for Lots 1 and 2.

The existing access drive next to the barn off the private drive to the south was only allowed for use to the single-family home on the property. This access drive will be removed as part of this project.

15. Excise Tax

The subject property is included in the Highway 58 & Dean Avenue financial incentive district. Uses locating in this incentive district are subject to payment of the excise tax that will be charged to the building contractor at the time a building permit is issued.

## **STAFF PROPOSED FINDINGS OF FACT**

Section 470.160 of the Unified Development Code states that the Planning and Zoning Commission and the City Council must make findings of fact taking into consideration the following:

- a. the plan complies with all applicable standards of this code and all other applicable City ordinances and policies;

The site plan does comply with all applicable standards of the Unified Development Code and all other applicable City ordinances and policies.

- b. the plan does not conflict with the adopted plans of the City of Raymore or the purpose and intent of this code;

The site plan does not conflict with any of the adopted master plans of the City or the purpose and intent of the Unified Development Code.

- c. the proposed use is allowed in the district in which it is located;

Retail and restaurant uses are allowed within the C-3 zoning district.

- d. vehicular ingress and egress to and from the site, and circulation within the site provides for safe, efficient, and convenient movement not only within the site but also on adjacent roadways;

Vehicular ingress and egress to and from the site is deemed adequate at this time. The 2nd access point in the southeast corner of the development allows for vehicles to enter and exit the site without having to make a turning movement directly onto Foxwood Drive.

- e. the plan provides for safe, efficient, and convenient movement of pedestrians on and to the site;

The site plan does provide for safe, efficient and convenient movement of pedestrians. Sidewalks are provided to allow pedestrians to access the site from Foxwood Drive and from Dean Avenue.

- f. the arrangement of structures and buildings on the site allows for efficient use of the land, is compatible with development on adjacent property, and minimizes potential adverse impacts on existing or planned municipal infrastructure and services;

The placement of the buildings does allow for efficient use of the land and minimizes potential adverse impacts on existing and planned municipal infrastructure and services.

- g. open space and natural features on the site are arranged in such a way that unique natural resources are preserved and creates a desirable and functional environment for site users;

There are no unique natural resource features on the site that need to be preserved.

- h. the plan avoids unnecessary or unreasonable alterations to existing topography, preserves existing healthy, mature trees and woodlands, and designs drainage facilities to promote the use and preservation of natural watercourses;

There are minor alterations to the existing topography of the site that will be made for this project. There are no natural watercourses on the site. There are existing trees that will need to be removed as part of the site work. There will be existing trees along the east property line of the site that will be preserved.

- i. provides adequate parking for the use, including logical and safe parking and circulation;

Parking for the proposed uses meets the minimum requirement and is provided in a logical manner. Circulation through the site is well planned.

- j. provides landscaping and screening as required by this code that creates logical transitions to adjoining uses, screens incompatible uses, minimizes the visual impact of the development on adjacent roads and properties, and utilizes native plant materials selected to withstand the local climate and individual site microclimates; and

Adequate landscaping is provided for the site. There is no screening required as part of this project.

- k. includes site illumination that has been designed and located to minimize adverse impacts on adjacent properties.

The site illumination has been designed and located to minimize adverse impacts on adjacent properties.

## REVIEW OF INFORMATION AND SCHEDULE

Action  
Site Plan Review

Planning Commission  
June 7, 2016

## STAFF RECOMMENDATION

The staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and approve Case #16007 Cadence Raymore Site Plan subject to the following conditions:

Prior to commencement of any land disturbance activities:

1. State of Missouri and City of Raymore land disturbance permits shall be obtained prior to the commencement of any site grading or land disturbance activities.
2. All erosion control measures identified on the land disturbance plan and required by the land disturbance permit must be installed prior to grading and these measures must be maintained until the requirements of the SWPPP are satisfied.
3. A stormwater treatment facility maintenance agreement shall be executed prior to commencement of any land disturbance activities.

Prior to installation of any public improvements:

4. The public infrastructure plans must be approved by the City and a permit issued for installation of public improvements.

Prior to issuance of a Building Permit

5. Building construction plans shall be approved by the Building Official.
6. A replat of the property must be approved and recorded. A sign easement shall be provided for the City monument sign to be constructed in the northwest corner of Lot 1
7. Security fencing is required to separate the construction site from the public sidewalk along Foxwood Drive and along Dean Avenue.
8. Building permit shall be obtained from the South Metropolitan Fire Protection District.

Prior to issuance of a Certificate of Occupancy:

9. All accessible parking spaces must be identified by signs complying with the Manual of Uniform Traffic Control Devices and the Department of Justice, Code of Federal Regulation 28 CFR Part 36, ADA Standards for Accessible Design. The sign must be vertically mounted on a post or wall no more than five feet from the space and centered on the width of the space.
10. If the electrical transformer box and any other accessory utility facility is taller than three and one-half feet or covers more than twenty-five square feet in area than it must be screened in accordance with Section 420.040D of the Unified Development Code.
11. The public improvements shall be accepted by the City Council.
12. All work shall be completed in accordance with the site plan approved by the Planning and Zoning Commission.

Perpetual Conditions:

13. Prior to removing erosion control measures at the conclusion of the project, the contractor must obtain concurrence from the City.
14. A signed copy of the weekly and post rain event erosion control inspection reports shall be submitted to the City upon completion of each report.
15. Owner must immediately notify City staff of any illicit discharge that enters or has the potential to enter the storm sewer system.

# Memo

To: Planning and Zoning Commission  
From: Edward Ieans, Assistant Director of Public Works  
CC: File  
Date: May 31, 2016  
Re: Cadence- Site Plan

The Engineering Department has reviewed the application for Cadence Site Plan and offers the following comments.

The subject property is located on the southeast quadrant of the intersection of Dean Ave and Hwy 58.

## Transportation System

Access to the site will be via 58 Highway. A deceleration lane on Hwy 58 eastbound will be provided for right turns into the site. Kentucky Road southbound will be striped to provide a right turn lane and a through/left turn lane. A secondary access point is being provided on the south side of the site.

## Saniitary Sewer:

The lot will be served by an existing 8 inch sanitary sewer that is located in the driveway access easement.

## Water System:

The site will be served by the existing 8 inch waterline in Foxwood Drive(HWy 58).

## Storm Water Quality:

Rain gardens and underground detention basin along with a stormwater treatment maintenance agreement will be provided to meet water quality standards and control runoff.

## Summary

The plans and specifications comply with the design standards for the City of Raymore. The Engineering Division recommends approval of this application.



**Project Synopsis**

Governing Municipality: Raymore, Missouri  
Governing Code: 2012 IBC  
Zoning: C-3

Project Description: Site development of 3 lots with parking lot, multi-tenant building and prototype restaurant building.

Lot 1 site area: 63,162 sq. ft., 1.45 ac.  
Lot 2 site area: 33,541 sq. ft., 0.77 ac.  
Lot 3 site area: 36,894 sq. ft., 0.84 ac.  
Total site area: 133,597 sq. ft., 3.06 ac.

Lot 1 building area: 10,004 sq. ft.  
Lot 2 building area: 3,000 sq. ft.  
Lot 3 building area: 0 sq. ft.  
Total building area: 13,004 sq. ft.

Floor Area Ratio:  
Lot 1: 10,000/63,162sq. ft. = 15.8%  
Lot 2: 3,000/33,541sq. ft. = 8.9%

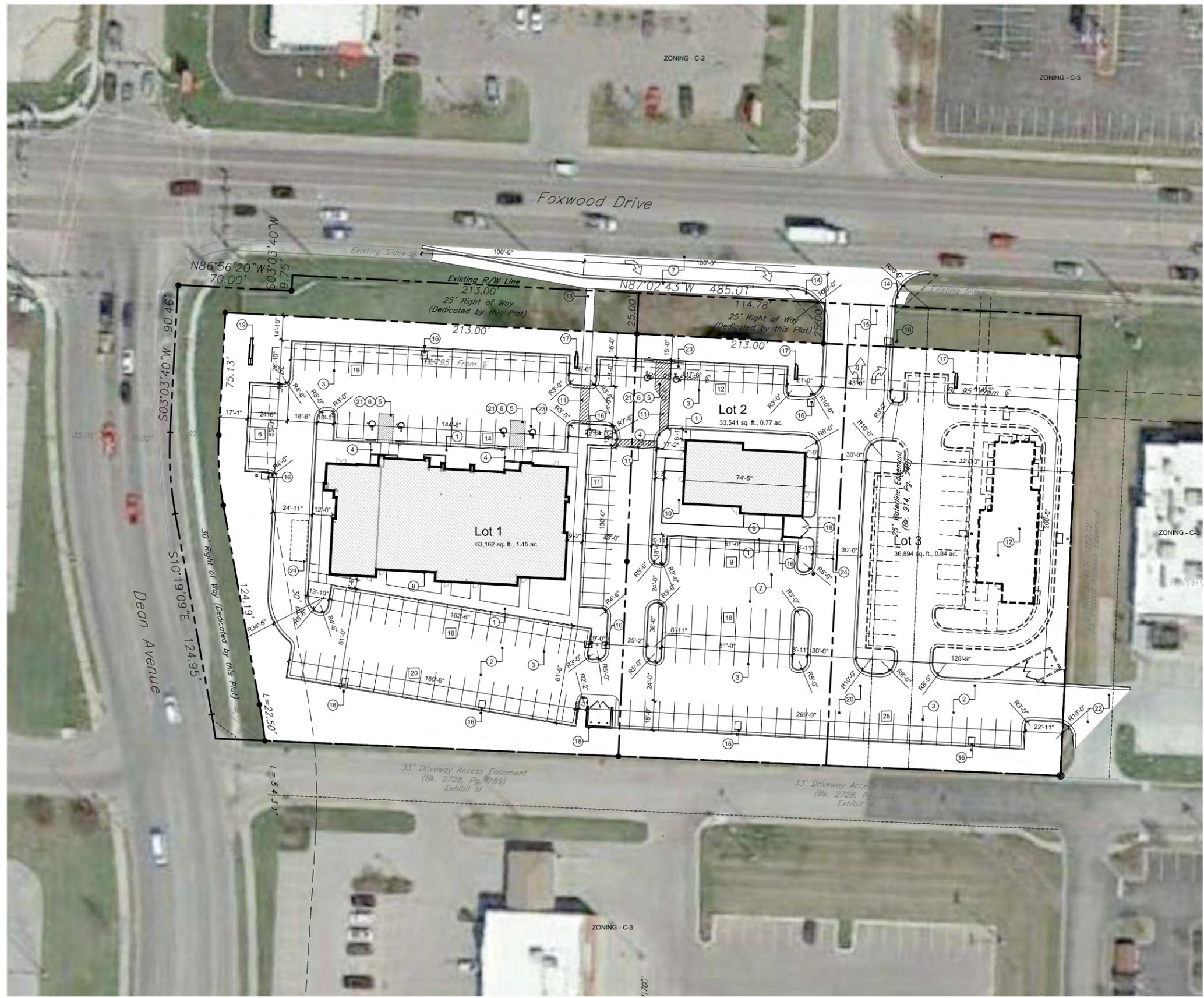
Parking Required:  
Retail: 1 per 300 sq. ft.  
10,004/300 = 33.33  
Eating/Drinking Establishment: 1 per 4 seats or 1 per 50 sq ft of cust. area whichever is greater  
3,000/2 = 1,500/50 = 30  
Total Parking Required = 64  
Parking Provided: 155 spaces (6 handicap spaces),  
Parking Ratio Provided: 12 per 1,000 sq. ft.

**General Notes**

- All construction shall conform to the standards and specifications of the city of Raymore, Missouri.
- The general contractor shall contact all utility companies prior to the start of construction and verify the location and depth of any utilities that may be encountered during construction.
- The general contractor shall field verify existing surface and subsurface ground conditions prior to the start of construction.
- Slopes shall maintain a maximum 3 : 1 slope for construction.
- The general contractor shall be responsible for obtaining all required permits, paying all fees and otherwise complying with all applicable regulations governing the project.
- Place silt fence as required for erosion control.
- Provide a temporary gravel access drive to prevent mud from being deposited onto the adjacent road.
- Prior to installing any structure on a public storm sewer, the contractor shall submit shop drawings for the structure(s). Installation shall not occur until drawings have been approved by public works.
- Prior to installing, constructing, or performing any work on the public storm sewer line (including connecting private drainage to the storm system) contact the city for inspection of the work. Contact must be made at least 48 hours prior to the start of work.
- Connections to the public storm sewer between structures will not be permitted.
- All exterior utility services shall be painted to match the primary building color.
- All existing conditions per survey provided by owner.
- A Knox Box will be installed on the front of the building facing the street or road.
- All private utilities to service this site are to be placed underground.
- All above ground termination points to be screened from view with appropriate landscaping or painted to match primary adjacent wall color.
- All curb inlets to be constructed per City storm sewer standard details.

**Construction Notes**

- Provide 6'-0" min. wide concrete sidewalk, 4" thick w/ 6x6 10/10 w.w.f. steel mesh reinf. Control joints @ 5'-0" o.c. Broom finish for non-slip surface.
- Asphalt & conc. parking lot paving & curbs to meet city of Raymore, MO construction standards.
- Parking lot striping shall be white w/ 4" stroke.
- Provide ADA accessible ramps in sidewalk for pedestrian access to bldg. & public way.
- Handicap parking signage. Mount bot. of sign @ 36"-60" a.f.g. Sign to contain the universal handicap symbol & 'van accessible' as req'd. Install within 5'-0" of stall & center w/ parking space (typ.)
- Handicap striping & universal symbol painted blue w/ 4" stroke.
- Provide 150' deceleration lane with 100' taper into full access curb cut along Foxwood Drive. Relocate power poles to accommodate public improvement.
- Lot 1 building per architectural drawings.
- Lot 2 building per architectural drawings.
- Provide conc. patio. Reference architectural details.
- Strip crosswalk through drive lanes.
- Pad site, building and associated parking development by others at a future date. Layout shown for planning purposes only. Seed undeveloped lot until development. Utilities access for future pad site to be provided within property limits.
- Connect sidewalk to public pedestrian walkway along Foxwood Drive.
- Provide access ramps at new curb cut for exist. public sidewalk system.
- Provide designated straight / left lane and right turn lane from site to Foxwood Drive per previously provided traffic study recommendations.
- Provide pole mounted site lighting to meet Raymore, MO photometric standards.
- Monument sign per details. Provide power to each sign location back to primary building associated with sign.
- Furnish and install trash enclosures per details.
- Provide "City of Raymore" monument sign, per City of Raymore requirements. Power provided back to Lot 1 building.
- Remove existing retaining walls during mass grading construction, and install new as indicated by civil drawings.
- Provide precast concrete parking stop.
- Connect drive aisle to existing drive on adjacent property per previously agreed cross access.
- Accessible space to be designated as "lift van accessible only."
- Dashed line indicates a 10'x25' temporary loading space.

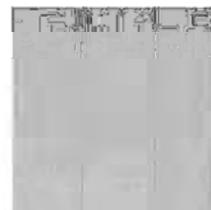


a new development for  
**Cadence Raymore**  
Highway 58 & Dean Avenue  
Raymore, Missouri

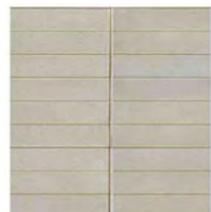
date: 05.06.16  
drawn by: dAE  
checked by: dAE  
revisions:  
5-26-16

**1** Site Plan  
scale: 1" = 30'-0"  
north

sheet number  
**A1.1**  
drawing type  
planning  
project number  
15103



concrete panels  
 (Nichiha industrial block panels)



limestone veneer  
 (stacked bond, Indiana Limestone smooth finish)



storefront  
 (clear anodized finish)



metal panels  
 (with concealed fasteners, charcoal brown)



brick veneer  
 (tan, stacked bond)



wood plank infill  
 (at soffits framed by steel)

**exterior materials legend**

**exterior materials and finishes**

- limestone veneer - Indiana limestone, smooth finish, stacked course
- brick veneer 1 - tan brick veneer, stacked course
- grout/mortar - color TBD
- glass - clear 1" insulated, Low-E coating with argon fill
- flashing - pre-finished metal, color to match metal panels
- roof materials -
  - white TPO
  - standing seam metal roof with metal fascia panels, color to match metal panels
  - standing seam metal canopy with metal fascia panels, color to match metal panels
- metal panel 1 - dry joint system with concealed fasteners, gray
- exterior paint -
  - hollow metal doors - coat with acrylic low luster exterior paint, color to match metal panels
  - steel - color to match metal panels



**1 East**  
 scale: 1/8" = 1'-0"



**2 North**  
 scale: 1/8" = 1'-0"



**3 South**  
 scale: 1/8" = 1'-0"



**4 West**  
 scale: 1/8" = 1'-0"

a new development for  
**Cadence Raymore**  
 Highway 58 & Dean Avenue  
 Raymore, Missouri

date: 06/2015  
 drawn by: [Name]  
 checked by: [Name]  
 revisions: 5-26-15

**NOT FOR CONSTRUCTION**

sheet number  
**A3.1**



# Community Development Monthly Report



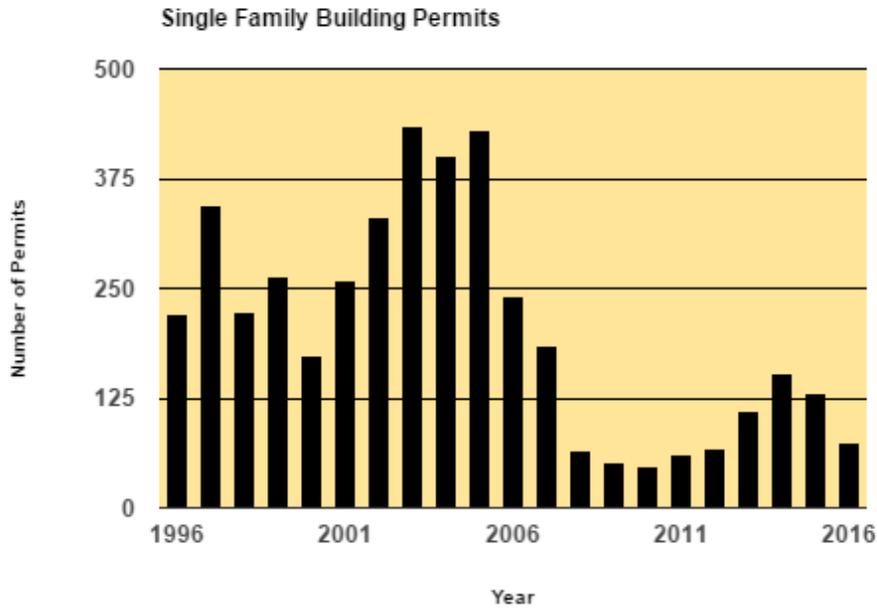
MAY 2016

## Building Permit Activity

Type of Permit	May 2016	2016 YTD	2015 YTD	2015 Total
Detached Single-Family Residential	12	61	34	139
Attached Single-Family Residential	12	14	0	6
Multi-Family Residential	0	0	6	0
Miscellaneous Residential (deck; roof)	43	180	135	363
Commercial - New, Additions, Alterations	3	10	7	23
Sign Permits	4	19	9	52
<b>Inspections</b>	<b>May 2016</b>	<b>2016 YTD</b>	<b>2015 YTD</b>	<b>2015 Total</b>
Total # of Inspections	480	2,489	2,065	4,919
<b>Valuation</b>	<b>May 2016</b>	<b>2016 YTD</b>	<b>2015 YTD</b>	<b>2015 Total</b>
Total Residential Permit Valuation	\$4,769,000	\$16,720,100	\$10,332,000	\$34,819,700
Total Commercial Permit Valuation	\$350,000	\$734,100	\$2,774,600	\$3,660,400

### Additional Building Activity:

- Construction work is complete for Ridgeway Villas. All residential units have at least a Temporary Certificate of Occupancy.
- Tenant finish construction continues for Big Biscuit to locate in the Raymore Galleria Shopping Center
- Tenant finish construction work continues for Mexican Viego restaurant to occupy the former Thirsty Ernie's space in Willowind Shopping Center
- Tenant finish work is completed for the Beauty Salon to locate in the old Casey's (next to Smith Hardward) for a beauty salon
- Interior renovation work continues on Mazuma Credit Union



## Code Enforcement Activity

Code Activity	May 2016	2016 YTD	2015 YTD	2015 Total
Code Enforcement Cases Opened	65	133	101	229
Notices Mailed				
-Tall Grass/Weeds	57	77	81	166
- Inoperable Vehicles	1	22	2	12
- Junk/Trash/Debris in Yard	2	6	9	24
- Object placed in right-of-way	0	0	0	2
- Parking of vehicles in front yard	4	7	1	1
- Exterior home maintenance	0	5	2	5
- Other (trash at curb early; signs; etc)	1	16	6	19
Properties mowed by City Contractor	11	0	12	59
Abatement of violations (silt fence repaired; trees removed; stagnant pools emptied; debris removed)	0	0	0	0
Signs in right-of-way removed	12	102	99	190

## Development Activity

### Current Projects

- Review of site plan for Dean property at southeast corner of Dean Avenue and 58 Highway.
- Assisting City staff on development of plans for the Municipal Circle meeting space building and for the proposed activity center at Recreation Park.
- Assisting resident in Edgewater at Creekmoor regarding an easement vacation and variance application to allow for construction of a new home.
- Review of High Point at Creekmoor 3rd Final Plat
- Conditional Use Permit application for Raymore Municipal Center meeting room facility
- 5th amendment to Creekmoor Memorandum of Understanding
- Public Hearing for closure and removal of access drive onto 58 Highway for former Ryan's restaurant

	As of May 31, 2016	As of May 31, 2015	As May 31, 2014
Homes currently under construction	186	171	80
Total number of Undeveloped Lots Available (site ready for issuance of a permit for a new home)	697	858	921
Total number of dwelling units in City	7,871	7,715	7,530

## Actions of Boards, Commission, and City Council

### City Council

May 9, 2016

- Approved on 2nd reading the Edgewater at Creekmoor Fifth Final Plat
- Tabled on 1st reading proposed amendments to the Property Maintenance Code

May 23, 2016

- No development related items on agenda

### Planning and Zoning Commission

May 3, 2016

- Meeting was cancelled

May 2016

May 17, 2016

- Work session held to discuss the City sign regulations. Directed staff to prepare an amendment to the UDC regarding sign regulations.

## Upcoming Meetings – June & July

June 6, 2016 City Council work session

- Discussion on proposed amendments to Property Maintenance Code
- Discussion on 5th amendment to the Creekmoor Memorandum of Understanding

June 7, 2016 Planning and Zoning Commission

- 5th Amendment to Creekmoor Memorandum of Understanding (public hearing)
- Conditional Use Permit for Raymore Municipal Center public meeting space building (public hearing)
- Request for permanent closure and removal of the access drive to 58 Highway from former Ryan's Restaurant (public hearing)
- High Point at Creekmoor Third Final Plat
- Site plan for 3-lot commercial development at Dean Avenue and 58 Highway

June 13, 2016 City Council

- 1st reading - High Point at Creekmoor Third Final Plat
- 1st reading - Conditional Use Permit for Raymore Municipal Center public meeting space building (public hearing)
- 1st reading - Permanent closure and removal of the access drive to 58 Highway from former Ryan's Restaurant (public hearing)
- 1st reading - Amendments to Property Maintenance Code
- 1st reading - 5th Amendment to Creekmoor Memorandum of Understanding (public hearing)

June 21, 2016 Board of Adjustment

- Variance application for fence location, 815 Creekmoor Pond Lane

June 21, 2016 Planning and Zoning Commission

- UDC Annual Review

#### June 27, 2016 City Council

- 2nd reading - High Point at Creekmoor Third Final Plat
- 2nd reading - Conditional Use Permit for Raymore Municipal Center public meeting space building (public hearing)
- 2nd reading - Permanent closure and removal of the access drive to 58 Highway from former Ryan's Restaurant (public hearing)
- 2nd reading - Amendments to Property Maintenance Code
- 2nd reading - 5th Amendment to Creekmoor Memorandum of Understanding (public hearing)

#### July 5, 2016 Planning and Zoning Commission

- Rezoning of undeveloped lots in Phase 2 of Shadowood (public hearing)

#### July 11, 2016 City Council

- 1st reading, rezoning of undeveloped lots in Phase 2 of Shadowood (public hearing)

#### July 19, 2016 Planning and Zoning Commission

- 2nd reading, rezoning of undeveloped lots in Phase 2 of Shadowood

#### July 25, 2016 City Council

- No development related items currently scheduled

### Department Activities

- Director Jim Cadoret is participating as a team member preparing the FY2017-2021 Capital Improvement Program
- Director Jim Cadoret continued to assist as a committee member on design of the proposed Recreation Activity Center at Recreation Park and for the community meeting space building in the Municipal Complex.
- Staff commenced work to organize a Citizen's Task Force to assist City staff with the assessment phase of the Community for All Ages initiative. An assessment is necessary for the City to achieve Silver Level recognition.

- Director Jim Cadoret continued work as a team member to establish action steps for two of the focus areas identified by the City Council as part of the Council Strategic Plan
- Staff worked on review of cases scheduled for consideration by the Planning Commission at its June 6th meeting

## GIS Activities

- .Inquiry/information requests & data sharing with consultants & agencies
- Cartographic map updates & requests
- Mapping for business operations of departments
- Notice and targeted mailing lists
- Reporting of utility accounts in support of a franchise agreement
- Updates to incomplete scans, records management & active server page
- Addressing of new dwellings and coordination with external agencies
- General development of web mapping applications to suit business/user need
- Site plan comments for landscape portion of Cadence submittal
- Database feature updates including dwellings added since 1st quarter geocode