

## **AGENDA**

Raymore City Council Regular Meeting  
City Hall – 100 Municipal Circle  
Monday, July 13, 2020

7:00 p.m.

- 1. Call to Order.**
- 2. Roll Call.**
- 3. Pledge of Allegiance.**
- 4. Presentations/Awards.**
- 5. Personal Appearances.**
- 6. Staff Reports.**
  - A. Development Services (pg 7)
  - B. Monthly Court Report (pg 13)
- 7. Committee Reports.**
- 8. Consent Agenda.**

*The items on the Consent Agenda are approved by a single action of the City Council. If any Councilmember would like to have an item removed from the Consent Agenda and considered separately, he/she may so request.*

- A. City Council Minutes, June 22, 2020 (pg 17)
- B. Appointment of a City Councilmember to the License Tax Review Committee

Reference: - Resolution 20-32 (pg 25)

Section 605.120 of the Raymore City Code provides that the Mayor shall appoint, upon the advice and consent of a majority of the City Council, members of the License Tax Review Committee. The Mayor recommends the appointment of Reginald Townsend as a City Council member to fill the seat.

C. 2019 Force Main Replacement - Acceptance and Final Payment

Reference: - Resolution 20-36 (pg 27)

The Director of Public Works has determined that the project has been satisfactorily completed in accordance with the project specifications.

**9. Unfinished Business. Second Reading.**

A. Foxwood Springs Rezoning

Reference: - Agenda Item Information Sheet (pg 31)  
- Bill 3532 (pg 33)  
- Staff Report (pg 35)

Will Nulton, representing American Retirement Corporation, filed a request to reclassify the zoning of four acres located north of Foxwood Springs and west of the City water tower from "A" Agricultural District to "PUD" Planned Unit Development District.

- Planning and Zoning Commission, 06/16/2020: Approved 8-1
- City Council, 06/22/2020: Approved 8-0

B. Original Town Block 8 Alley Vacation

Reference: - Agenda Item Information Sheet (pg 47)  
- Bill 3554 (pg 49)  
- Staff Report (pg 51)

With the development of T.B. Hanna Station, the platted north-south undeveloped alley that crosses through the park is not needed. An easement is reserved for the existing utilities that cross the property.

- Planning and Zoning Commission, 06/16/2020: Approved 9-0
- City Council, 06/22/2020: Approved 8-0

C. Eastbrooke at Creekmoor First Final Plat

Reference: - Agenda Item Information Sheet (pg 59)  
- Bill 3555 (pg 61)  
- Staff Report (pg 63)  
- Development Agreement (pg 79)  
- Final Plat (pg 89)

Ernie Deaton, representing Cooper Land Development, filed a request for final plat approval for Eastbrooke at Creekmoor First Plat, a 34-lot single-family development located on the west side of North Madison Street, south of the Creekmoor maintenance building.

- Planning and Zoning Commission, 06/16/2020: Approved 9-0
- City Council, 06/22/2020: Approved 8-0

D. Brookside Tenth Replat of Tracts X and Y

- Reference:
- Agenda Item Information Sheet (pg 91)
  - Bill 3556 (pg 93)
  - Staff Report (pg 95)
  - Development Agreement (pg 99)
  - Final Plat (pg 104)

Rick Frye and Doug Park, representing Brookside Investment Inc., filed a request for final plat approval for Brookside Tenth Replat of Tract X and Tract Y. This replat establishes two single-family lots and splits Tract Y to create a new Tract Z.

- Planning and Zoning Commission, 06/16/2020: Approved 9-0
- City Council, 06/22/2020: Approved 8-0

**10. New Business. First Reading.**

A. 1st Amendment to the Brookside Tenth Development Agreement

- Reference:
- Agenda Item Information Sheet (pg 107)
  - Bill 3557 (pg 109)
  - Development agreement (pg 111)
  - Map (pg 115)

Rick Frye, representing Brookside Investment Inc, is requesting the 1st amendment to the development agreement for the Brookside Tenth Subdivision. The amendment will allow for modifications to the park land dedication requirements for the subdivision phase.

Parks and Recreation Board, 07/06/2020: Approved 6-0

**11. Public Comments.** Please identify yourself for the record and keep comments to a maximum of five minutes.

**12. Mayor/Council Communication.**

**13. Adjournment.**

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Items provided under "Miscellaneous" in the Council Packet:

- City Council Work Session notes, 07/06/2020 (pg 119)
  - Planning and Zoning Commission minutes, 06/16/2020 (pg 121)
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## **EXECUTIVE SESSION (CLOSED MEETING)**

The Raymore City Council may enter an executive session before or during this meeting, if such action is approved by a majority of Council present, with a quorum, to discuss:

- Litigation matters as authorized by § 610.021 (1),
- Real Estate acquisition matters as authorized by § 610.021 (2),
- Personnel matters as authorized by § 610.021 (3),
- Other matters as authorized by § 610.021 (4-21) as may be applicable.

*Any person requiring special accommodation (i.e., qualified interpreter, large print, hearing assistance) in order to attend this meeting, please notify this office at (816) 331-3324 no later than forty eight (48) hours prior to the scheduled commencement of the meeting.*

*Hearing aids are available for this meeting for the hearing impaired. Inquire with the City Clerk, who sits immediately left of the podium as one faces the dais.*

# Staff Reports



## MONTHLY REPORT JUNE 2020

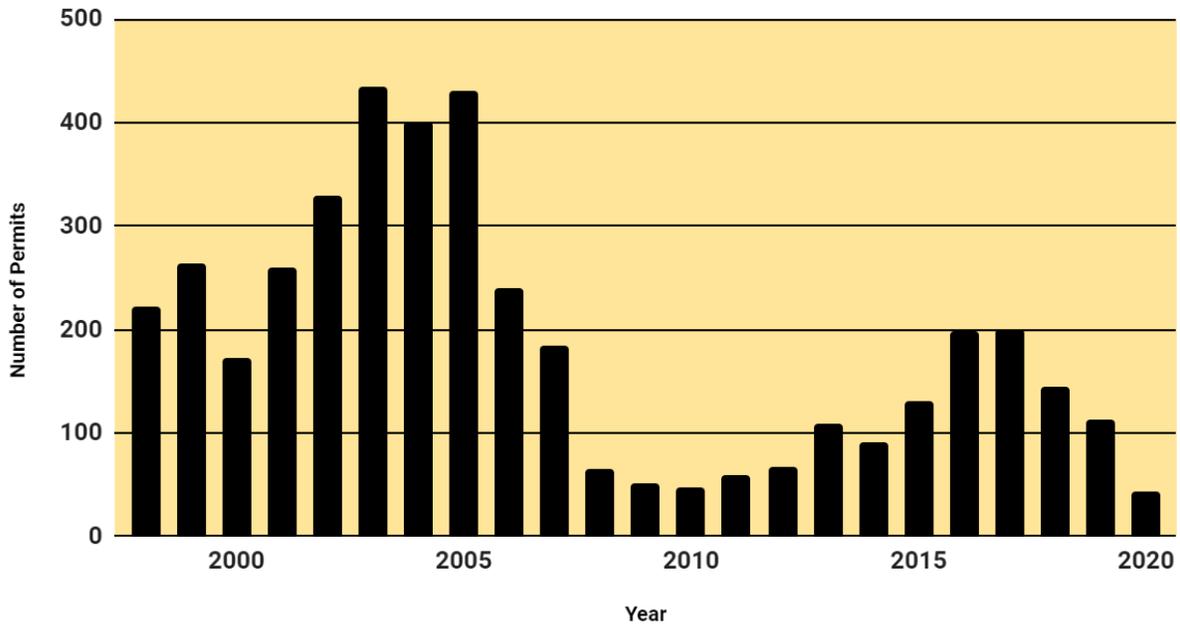
### Building Permit Activity

Type of Permit	June 2020	2020 YTD	2019 YTD	2019 Total
Detached Single-Family Residential	7	44	61	113
Attached Single-Family Residential	2	14	0	26
Multi-Family Residential	0	0	0	0
Miscellaneous Residential (deck; roof)	243	589	345	720
Commercial - New, Additions, Alterations	0	10	11	18
Sign Permits	3	16	27	54
Inspections	June 2020	2020 YTD	2019 YTD	2019 Total
Total # of Inspections	550	2,236	1,824	3,858
Valuation	June 2020	2020 YTD	2019 YTD	2019 Total
Total Residential Permit Valuation	\$2,064,100	\$13,575,000	\$14,714,200	\$34,498,600
Total Commercial Permit Valuation	\$0.00	\$8,264,300	\$1,774,300	\$1,822,300

#### ***Additional Building Activity:***

- Erection of the steel building frame continues on the Compass Health office building. Concrete floors are being poured.
- Foundation work and underslab utilities on the clubhouse and the first of twelve apartment buildings has commenced.
- Construction permits for the installation of the extension of Dean Avenue and for sanitary sewer main extension to serve the proposed Van Trust Industrial development at the southwest corner of Dean Avenue and North Cass Parkway have been issued
- Schlotzsky's Deli has opened.
- Site work continues at T.B. Hanna Station.

### Single Family Building Permits



## Code Enforcement Activity

Code Activity	June 2020	2020 YTD	2019 YTD	2019 Total
Code Enforcement Cases Opened	70	314	245	642
<i>Notices Mailed</i>				
-Tall Grass/Weeds	20	66	62	135
- Inoperable Vehicles	16	83	32	138
- Junk/Trash/Debris in Yard	16	47	58	146
- Object placed in right-of-way	0	3	2	14
- Parking of vehicles in front yard	1	10	6	13
- Exterior home maintenance	8	30	9	41
- Other (trash at curb early; signs; etc)	0	4	2	2
Properties mowed by City Contractor	17	36	22	71
Abatement of violations (silt fence repaired; trees removed; stagnant pools emptied; debris removed)	0	0	6	10
Signs in right-of-way removed	47	245	126	370
Violations abated by Code Officer	9	81	42	126

## Development Activity

### Current Projects

- Rezoning, 4 acres located north of Foxwood Springs, from Agricultural to Planned Unit Development District (no development plan; rezoning to for consistency of maintenance building area zoning with the remainder of Foxwood Springs)
- Alley vacation, T.B. Hanna Station
- Eastbrooke at Creekmoor First Final Plat
- Brookside Tenth Replat of Tract X and Tract Y
- Park Side Subdivision, 160 acres south of 163rd Street, west of North Madison, rezoning from Agricultural to Planned Unit Development
- Oak Ridge Farms Subdivision, 23 acres north of Ramblewood, south of Heritage Hills at the extension of Pine Street, rezoning from R-1 (Single-Family Residential) to Planned Unit Development

	As of June 30, 2020	As of June 30, 2019	As of June 30, 2018
Homes currently under construction	149	132	221
Total number of Undeveloped Lots Available (site ready for issuance of a permit for a new home)	284	363	419
Total number of dwelling units in City	8,726	8,603	8,385

## Actions of Boards, Commission, and City Council

### City Council

#### **June 8, 2020**

- Approved on 1st reading the vacation of a portion of a utility easement at 1211 Dunvegan Lane
- Approved on 1st reading a development agreement with Compass Health on the extension of Sunset Lane to serve the new office building

#### **June 22, 2020**

- Approved on 2nd reading a vacation of a portion of a utility easement at 1211 Dunvegan Lane
- Approved on 2nd reading a development agreement with Compass Health on the construction of Sunset Lane
- Approved on 1st reading the rezoning of 4 acres located north of Foxwood Springs, from Agricultural to Planned Unit Development District
- Approved on 1st reading the vacation of an unimproved 14-foot alley located in T.B.Hanna Station Park
- Approved on 1st reading the Eastbrooke at Creekmoor First Final Plat
- Approved on 1st reading the Replat of Tract X and Tract Y in Brookside Tenth

- Mayor Turnbow elected to serve as a member of the Planning and Zoning Commission
- City Council elected to not have a Council representative on the Planning and Zoning Commission

### **Planning and Zoning Commission**

#### **June 2, 2020**

- Meeting Cancelled

#### **June 16, 2020**

- Recommended approval of the Eastbrooke at Creekmoor 1st Final Plat
- Recommended approval of the Replat of Tract X and Tract Y in Brookside Tenth
- Recommended approval of the rezoning of 4 acres located north of Foxwood Springs, from Agricultural to Planned Unit Development District
- Recommended approved on 1st reading the vacation of an unimproved 14-foot alley located in T.B.Hanna Station Park
- Accepted the changes proposed to the City Growth Management Plan

### **Board of Adjustment**

#### **June 16, 2020**

- Denied a variance application to erect a privacy fence in the front yard area of a corner lot at 712 Meadow Lane

## **Upcoming Meetings – July & August**

#### **July 7, 2020 Planning and Zoning Commission**

- Annual review of the Unified Development Code

#### **July 13, 2020 City Council**

- 2nd reading - Rezoning of 4 acres located north of Foxwood Springs from Agricultural to Planned Unit Development District
- 2nd reading - Vacation of the alley right-of-way in Block 8 of the Original Town Plat (T.B. Hanna Station Park)
- 2nd reading - Eastbrooke at Creekmoor First Final Plat
- 2nd reading - Brookside Tenth Replat of Tract X and Tract Y

#### **July 21, 2020 Planning and Zoning Commission**

- No development applications currently scheduled

#### **July 27, 2020 City Council**

- No development applications scheduled

### **August 4, 2020 Planning and Zoning Commission**

- Oak Ridge Farms Subdivision, rezoning R-1 to PUD (public hearing)

### **August 10, 2020 City Council**

- No development applications scheduled

### **August 18, 2020 Planning and Zoning Commission**

- Park Side Subdivision, rezoning A to PUD (public hearing)

### **August 24, 2020 City Council**

- 1st reading, Oak Ridge Farms Subdivision, rezoning R-1 to PUD (public hearing)

## **Department Activities**

- City Planner Katie Jardieu attended the Community for All Ages virtual conference planning meeting as well as the Planning Sustainable Places grant meeting in conjunction with Grandview and Belton.
- Code Enforcement Officer Drayton Vogel has been busy assisting residents with grass/weed issues, as well as inoperable vehicles and other code infractions.
- Director Jim Cadoret presented to the City of Harrisonville City Management Team on the benefits of participating in the [Community for All Ages](#) program. Raymore is a Gold Level recognition community.
- Staff, in collaboration with Belton and Grandview city staff, submitted an application for a Planning Sustainable Places grant to support a [transportation study](#) along the I-49 corridor from Main Street in Grandview, MO south to North Cass Parkway in Raymore and Belton.
- The contractor for [The Lofts at Foxridge](#) apartment community in the Eagle Glen Subdivision secured building permits for the last 8 buildings in the development. There will be 12 apartment buildings, 6 garage buildings and a clubhouse and pool. The luxury apartment community will consist of 396 apartments when completed.
- Building Official Jon Woerner inspected the firework tents to ensure compliance with City codes prior to opening for sales on June 28.

## **GIS Activities**

- Database administration & development - orphan removal in lock tables & indexing
- Server & web development - active directory for powershell
- Transformation of submittals to geospatial feature data
- Midyear/biennial updates & QA/QC of feature datasets

- Developed resources as requested for specific business operation
- Responded to requests for information from external agencies, public & professional services
- Prepared task guidance for others - enterprise & AGO
- Exercise - introduction of Arcade expressions & interpolation of point surfaces
- Republishing of base mapping services to deliver imagery prior to 2012 for use with enterprise mashup functionality
- Adapted geoprocessing models to assist with biennial updates & quality assurance;

## Municipal Division Summary Reporting

### 17th Judicial Circuit - Cass County - Raymore Municipal Division

#### I. COURT INFORMATION

<b>Reporting Period:</b>		
June	2020	<b>Court activity occurred in reporting period: Yes</b>
<b>Clerk's Physical Address:</b>		<b>Mailing Address:</b>
100 Municipal Circle Raymore, MO 64083		100 Municipal Circle Raymore, MO 64083
<b>Telephone Number:</b>		<b>Vendor</b>
(816) 331-1712		Incode (Tyler Technologies)
<b>Prepared by:</b>		<b>Prepared by E-mail Address:</b>
Donna Furr-Court Administrator		donna.r.furr@courts.mo.gov
		<b>Municipal Judge(s) Active During Reporting Period:</b>
		Ross Nigro

II. MONTHLY CASELOAD INFORMATION	Alcohol & Drug Related Traffic	Other Traffic	Non-Traffic Ordinance
<b>A. Cases (citations / informations) pending at start of month</b>	53	1,239	684
<b>B. Cases (citations / informations) filed</b>	1	88	37
<b>C. Cases (citations / informations) disposed</b>			
1. jury trial (Springfield, Jefferson County, and St. Louis County only)	0	0	0
2. court / bench trial - GUILTY	0	0	0
3. court / bench trial - NOT GUILTY	0	1	0
4. plea of GUILTY in court	3	78	33
5. violations Bureau Citations (i.e., written plea of guilty) and bond forfeitures by court order (as payment of fines / costs)	0	20	2
6. dismissed by court	0	1	1
7. nolle prosequi	1	22	19
8. certified for jury trial (not heard in the Municipal Division)	0	0	0
<b>9. TOTAL CASE DISPOSITIONS</b>	<b>4</b>	<b>122</b>	<b>55</b>
<b>D. Cases (citations / informations) pending at end of month [pending caseload = (A + B) - C9]</b>	<b>50</b>	<b>1,205</b>	<b>666</b>
<b>E. Trial de Novo and / or appeal applications filed</b>	<b>0</b>	<b>0</b>	<b>0</b>

III. WARRANT INFORMATION (pre- & post-disposition)		IV. PARKING TICKETS	
1. # Issued during reporting period:	15	Does court staff process parking tickets? Yes	
2. # Served/withdrawn during reporting period:	71	1. # Issued during reporting period:	0
3. # Outstanding at end of reporting period:	1,396		

V. DISBURSEMENTS	
<b>Excess Revenue (minor traffic and municipal ordinance violations, subject to the excess revenue percentage limitation)</b>	
Fines – Excess Revenue	\$10,552.50
Clerk Fee – Excess Revenue	\$1,074.76
Crime Victims Compensation (CVC) Fund surcharge – Paid to City/Excess Revenue	\$32.93
Bond forfeitures (paid to city) – Excess Revenue	\$0.00
<b>Total Excess Revenue</b>	<b>\$11,660.19</b>
<b>Other Revenue (non-minor traffic and ordinance violations, not subject to the excess revenue percentage limitation)</b>	
Fines – Other	\$8,867.00
Clerk Fee – Other	\$564.00
Judicial Education Fund (JEF) Court does not retain funds for JEF: Yes	
Peace Officer Standards and Training (POST) Commission surcharge	\$136.00
Crime Victims Compensation (CVC) Fund surcharge – Paid to State	\$969.68
Crime Victims Compensation (CVC) Fund surcharge – Paid to City/Other	\$17.39
Law Enforcement Training (LET) Fund surcharge	\$273.12
Domestic Violence Shelter surcharge	\$545.50
Inmate Prisoner Detainee Security Fund surcharge	\$273.12
Sheriffs' Retirement Fund (SRF) surcharge	\$0.00
Restitution	\$0.00
Parking ticket revenue (including penalties)	\$0.00
Bond forfeitures (paid to city) – Other	\$0.00
<b>Total Other Revenue</b>	<b>\$11,645.81</b>
<b>Other Disbursements: Enter below additional surcharges and/or fees not listed above. Designate if subject to the excess revenue percentage limitation. Examples include, but are not limited to, arrest costs, witness fees, and board bill/jail costs.</b>	
DUI	\$300.00
<b>Total Other Disbursements</b>	<b>\$300.00</b>
<b>Total Disbursements of Costs, Fees, Surcharges and Bonds Forfeited</b>	<b>\$23,606.00</b>
Bond Refunds	\$761.50
<b>Total Disbursements</b>	<b>\$24,367.50</b>

# Consent Agenda



**THE RAYMORE CITY COUNCIL MET IN REGULAR SESSION MONDAY, JUNE 22, 2020 AT CENTERVIEW, 227 MUNICIPAL CIRCLE, RAYMORE, MISSOURI. MEMBERS PRESENT: MAYOR TURNBOW, COUNCILMEMBERS ABDELGAWAD, BARBER, BERENDZEN, BURKE, CIRCO, HOLMAN, JACOBSON, AND TOWNSEND, CITY MANAGER JIM FEUERBORN, CITY ATTORNEY JONATHAN ZERR, DEPUTY CITY CLERK ERICA HILL, AND STAFF MEMBERS.**

- 1. Call To Order.** Mayor Turnbow called the meeting to order at 7:00 p.m.
- 2. Roll Call.** Deputy City Clerk Erica Hill called roll; quorum present to conduct business.
- 3. Pledge of Allegiance.**
- 4. Presentations/Awards.**
- 5. Personal Appearances.**
- 6. Staff Reports.**

Public Works Director Mike Krass provided a review of the staff report included in the Council packet. He noted that construction has started on Westgate Drive and the curb project is underway.

Parks and Recreation Director Nathan Musteen provided a review of the staff report included in the Council packet. He announced ribbon-cuttings for the new playground at Recreation Park, and the Spirit of American celebration has moved from July 3 to September 11. He answered questions from Council.

City Manager Jim Feuerborn announced the items for the next work session on July 6.

- 7. Committee Reports.**
- 8. Consent Agenda.**
  - A. City Council Regular Meeting Minutes, June 8, 2020**
  - B. City Council Special Meeting Minutes, June 8, 2020**
  - C. Resolution 20-30: 2019 Curb Project - Acceptance and Final Pay**
  - D. Resolution 20-31: City Hall Painting - Acceptance and Final Pay**

**MOTION:** By Councilmember Holman, second by Councilmember Barber to approve the Consent Agenda as presented.

**DISCUSSION:** None

**VOTE:** Councilmember Abdelgawad Aye  
Councilmember Barber Aye

Councilmember Berendzen	Aye
Councilmember Burke, III	Aye
Councilmember Circo	Aye
Councilmember Holman	Aye
Councilmember Jacobson	Aye
Councilmember Townsend	Aye

## **9. Unfinished Business. Second Readings.**

### **A. Development Agreement - Compass Health**

**BILL 3551: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, APPROVING THE DEVELOPMENT AGREEMENT WITH COMPASS HEALTH, INC. FOR THE EXTENSION OF SUNSET LANE."**

Deputy City Clerk Erica Hill conducted the second reading of Bill 3551 by title only.

**MOTION:** By Councilmember Holman, second by Councilmember Barber to approve the second reading of Bill 3551 by title only.

**DISCUSSION:** None

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Aye
	Councilmember Circo	Aye
	Councilmember Holman	Aye
	Councilmember Jacobson	Aye
	Councilmember Townsend	Aye

Mayor Turnbow announced the motion carried and declared Bill 3551 as **Raymore City Ordinance 2020-034.**

### **B. Agreement with Raymore-Peculiar School District for SRO Services**

**BILL 3550: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, ESTABLISHING AN INTERGOVERNMENTAL AGREEMENT WITH THE RAYMORE-PECULIAR SCHOOL DISTRICT TO PROVIDE SCHOOL RESOURCE OFFICER SERVICES FOR SCHOOLS IN RAYMORE AND THE EAST MIDDLE SCHOOL."**

Deputy City Clerk Erica Hill conducted the second reading of Bill 3550 by title only.

**MOTION:** By Councilmember Holman, second by Councilmember Barber to approve the second reading of Bill 3550 by title only.

**DISCUSSION:** None

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Aye
	Councilmember Circo	Aye
	Councilmember Holman	Aye
	Councilmember Jacobson	Aye
	Councilmember Townsend	Aye

Mayor Turnbow announced the motion carried and declared Bill 3550 as **Raymore City Ordinance 2020-035**.

## **10. New Business. First Readings.**

### **A. Foxwood Springs Rezoning (public hearing)**

**BILL 3532: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING THE ZONING MAP FROM "A" AGRICULTURAL DISTRICT TO "PUD" PLANNED UNIT DEVELOPMENT DISTRICT, A 4 ACRE TRACT OF LAND LOCATED NORTH OF THE EXISTING FOXWOOD SPRINGS DEVELOPMENT, IN RAYMORE, CASS COUNTY, MISSOURI."**

Deputy City Clerk Erica Hill conducted the first reading of Bill 3532 by title only.

Mayor Turnbow opened the public hearing at 7:16 p.m. and called for a staff report.

Development Services Director Jim Cadoret provided a review of the staff report included in the Council packet. Will Nulton, representing Husch Blackwell LLP and property owner American Retirement Corporation, is requesting to reclassify the zoning of 4 acres located north of the Foxwood Springs Assisted Living building, from A "Agricultural District" to PUD" Planned Unit Development District". The 4 acres includes the facility maintenance building and surrounding land area. The purpose of the rezoning is to provide consistent zoning over the land area that contains all of the Foxwood Springs facilities. No improvements are planned for the area to be rezoned. This public hearing was properly advertised in *The Journal* and he asked for the letters to adjoining land owners, notice of publication, Unified Development Code (UDC), application, Growth Management Plan (GMP), staff report, and the conceptual site plan to be entered into the record. At its June 16 meeting, the Planning Commission voted 8-1 to accept the findings of fact and forward to the Council with a recommendation of approval. He answered general questions from Council.

Mayor Turnbow opened the public hearing for public comment and hearing none, closed the public hearing at 7:21 p.m.

**MOTION:** By Councilmember Holman, second by Councilmember Barber to approve the first reading of Bill 3532 by title only.

**DISCUSSION:** None

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Aye
	Councilmember Circo	Aye
	Councilmember Holman	Aye
	Councilmember Jacobson	Aye
	Councilmember Townsend	Aye

**B. Original Town Block 8 Alley Vacation (public hearing)**

**BILL 3554: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, VACATING THE ALLEY RIGHT-OF-WAY LOCATED IN BLOCK 8 OF THE ORIGINAL PLAT OF THE CITY OF RAYMORE, CASS COUNTY, MISSOURI."**

Deputy City Clerk Erica Hill conducted the first reading of Bill 3554 by title only.

Mayor Turnbow opened the public hearing at 7:23 p.m. and called for a staff report.

Development Services Director Jim Cadoret provided a review of the staff report included in the Council packet. T.B. Hanna Station is located in Block 8 of the Original Plat of the City of Raymore. The plat established a 14-foot wide north-south alley that connects Maple Street with Olive Street. This alley right-of-way is unimproved but does contain both public and private utilities. To ensure the safety of individuals that utilize T.B. Hanna Station, staff desires to vacate the alley right-of-way to prohibit its use for vehicular traffic. An easement will be maintained to ensure that utility companies retain the ability to maintain their facilities. This public hearing was properly advertised in *The Journal* and he asked for the application, notice of publication, Unified Development Code (UDC), Growth Management Plan (GMP), and the staff report to be entered into the record. At its June 16 meeting, the Planning Commission voted 9-0 to accept the findings of fact and forward to the Council with a recommendation of approval. He answered general questions from Council.

Mayor Turnbow opened the public hearing for public comment and hearing none, closed the public hearing at 7:25 p.m.

**MOTION:** By Councilmember Holman, second by Councilmember Barber to approve the first reading of Bill 3554 by title only.

**DISCUSSION:** None

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
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Councilmember Barber	Aye
Councilmember Berendzen	Aye
Councilmember Burke, III	Aye
Councilmember Circo	Aye
Councilmember Holman	Aye
Councilmember Jacobson	Aye
Councilmember Townsend	Aye

**C. Eastbrooke at Creekmoor First Final Plat**

**BILL 3555: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, APPROVING THE EASTBROOKE AT CREEKMOOR FIRST PLAT, LOCATED IN SECTION 4, TOWNSHIP 46N, RANGE 32W, RAYMORE, CASS COUNTY, MISSOURI."**

Deputy City Clerk Erica Hill conducted the first reading of Bill 3555 by title only.

Development Services Director Jim Cadoret provided a review of the staff report included in the Council packet. Ernie Deaton, representing Cooper Land Development Inc., is requesting approval of Eastbrooke at Creekmoor First Final Plat, a 34-lot single-family subdivision proposed for the west side of North Madison Street, south of the Creekmoor maintenance building. This phase of Creekmoor proposes single-family detached homes on narrow lots. The lots have been reduced in width and size to provide a new housing option for buyers within the Creekmoor community. At its June 16 meeting, the Planning and Zoning Commission voted 9-0 to accept the findings of fact and forward to the Council with a recommendation of approval. He answered general questions from Council.

**MOTION:** By Councilmember Holman, second by Councilmember Barber to approve the first reading of Bill 3555 by title only.

**DISCUSSION:** None

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Aye
	Councilmember Circo	Aye
	Councilmember Holman	Aye
	Councilmember Jacobson	Aye
	Councilmember Townsend	Aye

**D. Brookside Tenth Replat of Tracts X and Y**

**BILL 3556: "AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, APPROVING THE BROOKSIDE TENTH FINAL PLAT - REPLAT OF TRACT X AND TRACT Y, LOCATED IN THE EAST HALF OF SECTION 20, TOWNSHIP 46N, RANGE 32W, RAYMORE, CASS COUNTY, MISSOURI."**

Deputy City Clerk Erica Hill conducted the first reading of Bill 3556 by title only.

Development Services Director Jim Cadoret provided a review of the staff report included in the Council packet. Rick Frye, representing Brookside Builders LLC, is requesting approval of the Replat of Tract X and Tract Y of the Brookside Tenth Final Plat. The replat replaces Tract X with Lot 421. Tract X was the location of a temporary stormwater detention basin that was created when Brookside Tenth was under construction. Tract Y is being divided by creating a new Tract Z. A portion of the remaining Tract Y will be utilized to create Lot 422 which is located on the southern end of Cedar Ridge Drive. The replat establishes Tract Z along Bristol Drive. This tract is owned by the City of Raymore and will be developed into a trailhead for the Brookside Greenway Trail. Brookside Builders will be constructing improvements to Tract Z, including a 10-space parking lot, trail extension, water fountain, and park bench. At its June 16 meeting, the Planning and Zoning Commission voted 9-0 to accept the findings of fact and forward to the Council with a recommendation of approval. He answered general questions from Council.

**MOTION:** By Councilmember Holman, second by Councilmember Barber to approve the first reading of Bill 3556 by title only.

**DISCUSSION:** None

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Aye
	Councilmember Circo	Aye
	Councilmember Holman	Aye
	Councilmember Jacobson	Aye
	Councilmember Townsend	Aye

**E. Governing Body Members on Planning and Zoning Commission**

Mayor Turnbow stated Section 465.020 (B) (4) of the Unified Development Code of the City Code provides that the Council shall designate whether or not it shall have a member serve on the Planning & Zoning Commission and the Mayor shall designate if they choose to be a member of the Commission and any such member shall serve for a one year term. He announced his desire to be a member of the Planning and Zoning Commission this year. He asked the Council if they wished to designate a member to serve on the Planning and Zoning Commission. Verbal consensus was received from members of the Council that a member of the Council would not serve on the Planning and Zoning Commission.

**F. Selection of Mayor Pro Tempore**

Mayor Turnbow announced that Section 3.4 of the City Charter, Mayor Pro Tempore, provides that the Council shall elect annually from among its members a Mayor Pro Tempore. The Mayor Pro Tempore shall assume the powers and duties of the Mayor during the absence or disability of the Mayor, or if a vacancy occurs. While assuming the powers and duties of the Mayor, the Mayor Pro Tempore shall retain his/her vote as a Council Member, but shall not possess the additional Mayor voting power provided by Section 4.4(a), and shall not possess the Mayor veto power provided by Section 4.4(c).

Mayor Turnbow entertained nominations for Mayor Pro Tempore.

**MOTION:** By Councilmember Holman, second by Councilmember Berendzen to nominate Councilmember Townsend as Mayor Pro Tempore.

Mayor Turnbow asked for further nominations and hearing none, called for a vote on the nomination for Councilmember Townsend.

**DISCUSSION:** None

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Aye
	Councilmember Circo	Aye
	Councilmember Holman	Aye
	Councilmember Jacobson	Aye
	Councilmember Townsend	Aye

Councilmember Holman presented Councilmember Townsend the Mayor Pro Tem name plate.

## **11. Public Comments.**

## **12. Mayor/Council Communication.**

Mayor Turnbow and Councilmembers congratulated Councilmember Townsend on being elected as Mayor Pro Tem, and thanked Parks Director Musteen for the department's work to reopen the parks and the new playground.

Councilmember Barber noted the abundance of good news during this meeting.

Councilmember Holman noted the importance of the items brought forward.

Councilmember Jacobson wished everyone a happy and safe 4th of July.

Councilmember Townsend thanked the Council for their votes of confidence in electing him as Mayor Pro Tempore.

Mayor Turnbow reminded citizens of the donation drive currently in progress to benefit the Raymore-Peculiar Public School Foundation's Ray-Pec Schools CAN Program and Ray-Pec Cares. He noted the streets in Prairie View are complete and ready for development. He noted the presentation at the upcoming work session from Chief of Police Zimmerman.

**13. Adjournment.**

**MOTION:** By Councilmember Holman, second by Councilmember Barber to adjourn.

<b>VOTE:</b>	Councilmember Abdelgawad	Aye
	Councilmember Barber	Aye
	Councilmember Berendzen	Aye
	Councilmember Burke, III	Aye
	Councilmember Circo	Aye
	Councilmember Holman	Aye
	Councilmember Jacobson	Aye
	Councilmember Townsend	Aye

The regular meeting of the Raymore Council adjourned at 7:54 p.m.

Respectfully submitted,

Erica Hill  
Deputy City Clerk

**RESOLUTION 20-32**

**"A RESOLUTION OF THE CITY OF RAYMORE, MISSOURI, APPROVING AN APPOINTMENT TO THE RAYMORE LICENSE TAX REVIEW COMMITTEE."**

**WHEREAS**, the City has established a License Tax Review Committee consisting of five (5) members, including a member of the Raymore City Council, two (2) citizens of the City, a local developer, and one (1) City staff appointment; and

**WHEREAS**, the City Council has elected Reginald Townsend as the new Mayor Tempore.

**NOW THEREFORE, BE IT RESOLVED**, that the Mayor of the City of Raymore, Missouri, appoints Reginald Townsend to the City Council seat on the License Tax Review Committee.

**DULY READ AND PASSED THIS 13TH DAY OF JULY, 2020, BY THE FOLLOWING VOTE:**

Councilmember Abdelgawad  
Councilmember Barber  
Councilmember Berendzen  
Councilmember Burke III  
Councilmember Circo  
Councilmember Holman  
Councilmember Jacobson  
Councilmember Townsend

ATTEST:

APPROVE:

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

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

\_\_\_\_\_  
Date of Signature



**RESOLUTION 20-36**

**"A RESOLUTION OF THE CITY OF RAYMORE, MISSOURI, ACCEPTING THE FORCE MAIN REPLACEMENT PROJECT."**

**WHEREAS,** the Contract specifies that funds be retained until satisfactory completion of the project; and

**WHEREAS,** the Director of Public Works determined the project has been satisfactorily completed in accordance with the project specifications.

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

Section 1. The Force Main Replacement Project is accepted.

Section 2. The final payment in the amount of \$36,266.04 is approved.

Section 3. This Resolution shall become effective on and after the date of approval.

Section 4. Any Resolution or part thereof which conflicts with this Resolution shall be null and void.

**DULY READ AND PASSED THIS 13TH DAY OF JULY, 2020, BY THE FOLLOWING VOTE:**

Councilmember Abdelgawad  
Councilmember Barber  
Councilmember Berendzen  
Councilmember Burke III  
Councilmember Circo  
Councilmember Holman  
Councilmember Jacobson  
Councilmember Townsend

ATTEST:

APPROVE:

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

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

\_\_\_\_\_  
Date of Signature



# **Unfinished Business**





**CITY OF RAYMORE**  
**AGENDA ITEM INFORMATION FORM**

DATE: June 22, 2020

SUBMITTED BY: Jim Cadoret

DEPARTMENT: Development Services

<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Presentation	<input checked="" type="checkbox"/> Public Hearing
<input type="checkbox"/> Agreement	<input type="checkbox"/> Discussion	<input type="checkbox"/> Other	

**TITLE / ISSUE / REQUEST**

Bill 3532: Foxwood Springs Rezoning

**STRATEGIC PLAN GOAL/STRATEGY**

Goal 3.1: Create a healthy and sustainable economy

**FINANCIAL IMPACT**

Award To:  
Amount of Request/Contract:  
Amount Budgeted:  
Funding Source/Account#:

**PROJECT TIMELINE**

Estimated Start Date	Estimated End Date
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**STAFF RECOMMENDATION**

Approval

**OTHER BOARDS & COMMISSIONS ASSIGNED**

Name of Board or Commission: Planning and Zoning Commission  
Date: June 16, 2020  
Action/Vote: Approval 8-1

**LIST OF REFERENCE DOCUMENTS ATTACHED**

Staff Report

**REVIEWED BY:**

Jim Feuerborn

## BACKGROUND / JUSTIFICATION

Will Nulton, representing Husch Blackwell LLP and property owner American Retirement Corporation, is requesting to reclassify the zoning of 4 acres located north of the Foxwood Springs Assisted Living building, from A "Agricultural District" to PUD "Planned Unit Development District". The 4 acres includes the facility maintenance building and surrounding land area. No improvements are planned for the area to be rezoned.

The purpose of the rezoning is to provide consistent zoning over the land area that contains all of the Foxwood Springs facilities.

**BILL 3532**

**ORDINANCE**

**"AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING THE ZONING MAP FROM "A" AGRICULTURAL DISTRICT TO "PUD" PLANNED UNIT DEVELOPMENT DISTRICT, A 4 ACRE TRACT OF LAND LOCATED NORTH OF THE EXISTING FOXWOOD SPRING DEVELOPMENT, IN RAYMORE, CASS COUNTY, MISSOURI."**

**WHEREAS**, after a public hearing was held on June 16, 2020, the Planning and Zoning Commission submitted its recommendation of approval on the application to the City Council; and

**WHEREAS**, the City Council held a public hearing on June 22, 2020, after notice of said hearing was published in a newspaper of general circulation in Raymore, Missouri, at least fifteen (15) days prior to said hearing.

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

Section 1. The City Council makes its findings of fact on the application and accepts the recommendation of the Planning and Zoning Commission.

Section 2. The Zoning Map of the City of Raymore, Missouri is amended by rezoning from "A" Agricultural District to "PUD" Planned Unit Development District, for the following property:

THAT PART OF TRACT 1-"A", REPLAT OF TRACT 1, SCHMIDT HIGHLANDS, A SUBDIVISION IN THE CITY OF RAYMORE, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT 1-"A"; THENCE NORTH 3°-18'-07" EAST (PLAT = NORTH 1°-36'-02" EAST), THIS AND THE FOLLOWING COURSES ALONG THE WEST LINE OF SAID TRACT 1-"A", A DISTANCE OF 40.00 FEET; THENCE SOUTH 86°-41'-53" EAST (PLAT = NORTH 88°-50'-40" WEST), A DISTANCE OF 494.69 FEET; THENCE NORTH 4°-48'-27" EAST (PLAT = SOUTH 2°-35'-30" WEST), A DISTANCE OF 158.86 FEET; THENCE NORTH 29°-16'-25" EAST (PLAT = SOUTH 27°-08'-27" WEST), A DISTANCE OF 56.86 FEET; THENCE SOUTH 86°-41'-53" EAST, DEPARTING SAID WEST LINE, A DISTANCE OF 651.03 FEET; THENCE SOUTH 3°-25'-08" WEST, A DISTANCE OF 100.00 FEET; THENCE SOUTH 86°-43'-08" EAST, A DISTANCE OF 75.00 FEET TO THE NORTHWEST CORNER OF A TRACT EXCEPTED FROM SAID TRACT 1-"A" FOR THE CITY OF RAYMORE, MISSOURI WATER TOWER SITE; THENCE SOUTH 3°-25'-08" WEST ALONG THE WEST LINE OF SAID EXCEPTED TRACT, A DISTANCE OF 150.00 FEET TO THE SOUTH LINE OF SAID TRACT 1-"A"; THENCE NORTH 86°-41'-53" WEST (PLAT = NORTH 88°-50'-40" WEST) ALONG SAID SOUTH LINE, A DISTANCE OF 1249.28 FEET (PLAT = 1249.39 FEET) TO THE POINT OF BEGINNING, CONTAINING 199,770 SQUARE FEET OR 4.586 ACRES, MORE OR LESS.

Section 3. Effective Date. The effective date of approval of this Ordinance shall be coincidental with the Mayor's signature and attestation by the City Clerk.

Section 4. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**DULY READ THE FIRST TIME THIS 22ND DAY OF JUNE, 2020.**

**BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 13TH DAY OF JULY, 2020, BY THE FOLLOWING VOTE:**

Councilmember Abdelgawad  
Councilmember Barber  
Councilmember Berendzen  
Councilmember Burke III  
Councilmember Circo  
Councilmember Holman  
Councilmember Jacobson  
Councilmember Townsend

ATTEST:

APPROVE:

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

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

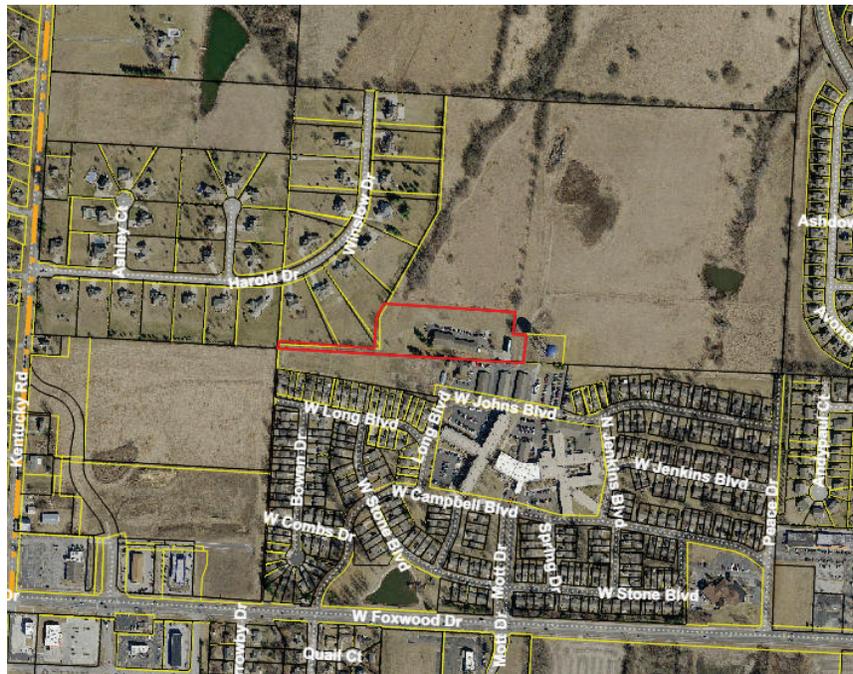
\_\_\_\_\_  
Date of Signature



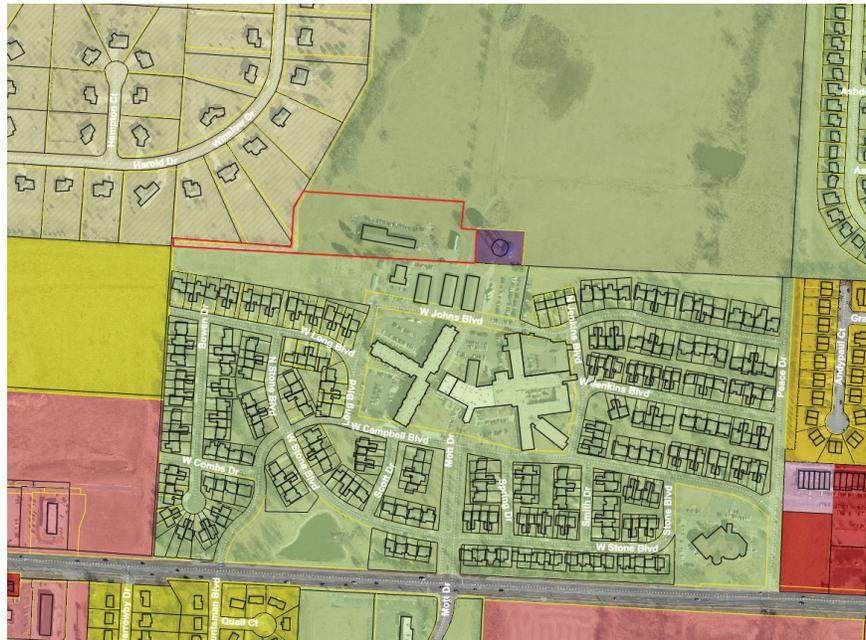
**To:** City Council  
**From:** Planning and Zoning Commission  
**Date:** June 22, 2020  
**Re:** Case #20003 Rezoning; Foxwood Springs, "A" to "PUD"

## GENERAL INFORMATION

- Applicant:** Husch Blackwell, LLP - Will Nulton  
4801 Main Street, Suite 1000  
Kansas City, MO 64112
- Property Owner:** American Retirement Corporation  
111 Westwood Place, Suite 400  
Nashville, TN 64064
- Requested Action:** Requesting to reclassify the zoning of 4 acres  
"A" Agricultural district to "PUD" Planned Unit  
Development
- Property Location:** Generally the property where the Foxwood Springs  
maintenance building and the property immediately  
surrounding it.



## Existing Zoning: "A" Agricultural District



**Growth Management Plan:** The Future Land Use Map of the current Growth Management Plan designates this property as appropriate for Low Density Residential.

**Major Street Plan:** The Major Thoroughfare Plan Map classifies W. Foxwood Drive (MO Highway 58) as a Major Arterial, and Johns Boulevard as a local internal street. There is no public road currently accessing the property to be rezoned.

### Legal Description:

**Advertisement:** February 27, 2020 **Journal** newspaper  
March 5, 2020 **Journal** newspaper  
May 28, 2020 **Journal** newspaper  
June 4, 2020 **Journal** newspaper

**Public Hearing:** June 16, 2020 Planning Commission meeting  
June 22, 2020 City Council meeting

**Items of Record:** **Exhibit 1. Mailed Notices to Adjoining Property Owners**  
**Exhibit 2. Notice of Publication**  
**Exhibit 3. Unified Development Code**  
**Exhibit 4. Application**  
**Exhibit 5. Growth Management Plan**  
**Exhibit 6. Staff Report**  
**Exhibit 7. Applicant's Conceptual Site Plan**

**Additional exhibits as presented during hearing**

## REQUEST

Applicant is requesting to reclassify the zoning designation of 4 acres associated with the Foxwood Springs maintenance building from "A" Agricultural district to "PUD" Planned Unit Development.

## REZONING REQUIREMENTS

### **Chapter 470: Development Review Procedures outlines the applicable requirements for Zoning Map amendments.**

Section 470.020 (B) states:

"Zoning Map amendments may be initiated by the City Council, the Planning and Zoning Commission or upon application by the owner(s) of a property proposed to be affected."

Section 470.010 (E) requires that an informational notice be mailed and "good neighbor" meeting be held.

Section 470.020 (F) requires that a public hearing be held by the Planning and Zoning Commission and the City Council. The Planning and Zoning Commission will submit a recommendation to the City Council upon conclusion of the public hearing.

Section 470.020 (G) outlines eleven findings of fact that the Planning and Zoning Commission and City Council must take into consideration in its deliberation of the request.

## PREVIOUS PLANNING ACTIONS ON OR NEAR THE PROPERTY

- The original plat of Foxwood Springs was approved by the City on July 11, 1983.
- The Harold Estates subdivision, to the northwest of the subject property was replatted and approved by the City on March 8, 1999.
- Westgate Plat, Lots 1-4 to the East of the property, were replatted and approved by the City on December 26, 2019. This replat accounts for the right-of-way for Westgate Drive.

## GOOD NEIGHBOR INFORMATIONAL MEETING COMMENTS

A Good Neighbor meeting was held on Wednesday March 11, 2020 in the Council Chambers of City Hall. 5 residents attended the meeting, along with city staff and Will Nulton representing Brookdale. The comments below provide a summary of the meeting:

### **Does Brookdale own all of the land to the north not being rezoned as well?**

- Yes they do.

**Are they planning to develop the AG zoned area?**

- No. In order to develop the remaining AG area, they would need to go through the rezoning process which would require a public hearing.

**The surveyor stated the city employed him to do the survey. Is this right?**

- This is not correct. Brookdale employed the surveyor to perform the work. The city did not pay the surveyor nor was in any discussions with the surveyor regarding cost.

**The surveyor stated he was there performing work for the road relocation and sewer realignment, is this correct?**

- While he may have other work pertaining to those jobs, the surveyor seems to have been confused as to which job specifically he was working on. Again, the city did not pay for the surveyor. Brookdale hired him to determine the extent of their property to determine where they needed to rezone.

**What is going to be sold?**

- The Brookdale community as well as the small 4 acres being rezoned will potentially be sold. The remaining AG zoned property will remain with Brookdale.

**Is there a design for the remaining AG acreage?**

- Since there are currently no intentions to perform any work on the property, there are no designs.

**Do the new owners want to do a high rise building?**

- The 4 acres being rezoned would not be enough land for that to occur. Additionally the restrictions enforced by the PUD for the rest of Brookdale, would also apply to this property as well.

**Is the sale going to remain as a retirement community?**

- As far as the client knows it is.

**What should we expect in terms of changes with the sale?**

- Brookdale has the intention of selling it to remain a retirement community. They can't say what the staff or internal changes would be.

**We have maintained and mowed some of that property for years. Do we need an attorney to draft a letter for squatter's rights?**

- That is something you have the right to do and can bring to us [Will Nulton] to take a look at.

**Our concern is when the Dean's sell the other lot behind us, they will connect with the private roads within Brookdale off of Long & Bowen?**

- This particular meeting is for the rezoning, but it is my [Katie Jardieu] understanding that those streets would remain private and any connections would potentially be made off of Westgate Drive.

**Can anything be done about the coyotes?**

- Not at this time.

**How do they residents feel about the new ownership?**

- We [Will Nulton] are not sure. Little would potentially change for them as far as we know.

**Is Brookdale selling other properties?**

- A lady in the audience actually answered this saying - Yes they are. As Brookdale moves to become a more luxury retirement community they are selling those that don't fit the new image. Foxwood Springs would need substantial changes to accommodate that image.

City Staff stressed that any engineering questions regarding the sewer and Westgate Drive be directed to Mike Krass.

**STAFF COMMENTS**

1. The property directly to the south of the site, roughly 1.8 acres and also zoned "PUD" Planned Unit Development, is also owned by the applicant.
2. Directly to the east is the City owned water tower.
3. The development standards for the existing and proposed zoning districts are as follows:

	A	PUD
<b>Minimum Lot Area</b>		
per lot	10 ac.	-
per dwelling unit	10 ac.	-
<b>Minimum Lot Width (feet)</b>	330	70
<b>Minimum Lot Depth (feet)</b>	100	-
<b>Yards, Minimum (feet)</b>		
front	50	30
rear	50	30
side	15	30
side, abutting residential district	-	30
<b>Maximum Building Height (feet)</b>	35	35
<b>Maximum Building Coverage (%)</b>	10	-

4. The uses permitted uses within the existing and proposed zoning districts include:

Use	A	Use	PUD
<b>RESIDENTIAL USES</b>		<b>RESIDENTIAL USES</b>	
<b>Household Living</b>		<b>Household Living</b>	
Single-family Dwelling, Detached (conventional)	P	Single-family Dwelling, Attached	-
Manufactured Home Residential – Design	S	Multi-family Dwelling (3+ units)	-
Single-family Dwelling, Attached	-	Cluster Residential Development	-
Two-family Dwelling (Duplex)	-	Manufactured Home Park	-
Multi-family Dwelling (3+ units)	-	Dwelling Units Located Above the Ground Floor	-
Apartment Community	-	<b>Group Living</b>	
Cluster Residential Development	S	Assisted Living	P
Manufactured Home Park	-	Group Home	-
Employee Living Quarters	P	Nursing Care Facility	P
Accessory Dwelling	P	Transitional Living	-
<b>Group Living</b>		<b>PUBLIC AND CIVIC USES</b>	
Assisted Living	-	<b>College or University</b>	-
Group Home	S	<b>Cultural Exhibit or Library</b>	-
Nursing Care Facility	-	<b>Government Buildings and Properties</b>	-
Transitional Living	-	<b>Hospital</b>	-
Group Living Not Otherwise Classified	-	<b>Place of Public Assembly</b>	-
<b>PUBLIC AND CIVIC USES</b>		<b>Public Safety Services</b>	-
<b>Cultural Exhibit or Library</b>	C	<b>Religious Assembly</b>	-
<b>Government Buildings and Properties</b>	C	<b>School</b>	-
<b>Place of Public Assembly</b>	C	<b>Social Club or Lodge</b>	-
<b>Public Safety Services</b>	C	<b>Utilities</b>	
<b>Religious Assembly</b>	P	Major	-
<b>School</b>	P	Minor	-
<b>Utilities</b>		<b>COMMERCIAL USES</b>	
Major	C	<b>Adult Business</b>	-
Minor	P	<b>Animal Services</b>	
<b>COMMERCIAL USES</b>		Kennel	-
<b>Animal Services</b>		Veterinary Services	-
Kennel	C	<b>Art Gallery</b>	-
<b>Day Care</b>		<b>Banks and Financial Services</b>	
Day Care Home	S	Banks	-
<b>Entertainment and Spectator Sports</b>		Payday Loan Store	-
Indoor	C	Consumer Loan Establishment	-
Outdoor	C	Pawn Shop	-
<b>Funeral and Interment Services</b>		<b>Body Art Services</b>	-
Cemetery	C	<b>Business Support Service</b>	P
Funeral Home	-	<b>Construction Sales and Service</b>	-
<b>Lodging</b>		<b>Day Care</b>	
Bed and Breakfast	S	Day Care Center	S
<b>Sports and Recreation, Participant</b>		<b>Eating and Drinking Establishment</b>	

Outdoor	C	Restaurant	-
Indoor	C	Tavern	-
		<b>Entertainment and Spectator Sports</b>	
<b>OTHER USES</b>		Indoor	-
<b>Accessory Uses</b>	S	Outdoor	-
<b>Agricultural Uses</b>		<b>Funeral and Interment Services</b>	
Farming	P	Cremating	-
Boarding Stables and Riding Schools	C	Funeral Home	-
<b>Home Occupation</b>	S	<b>Lodging</b>	
<b>Parking</b>		Bed and Breakfast	-
Accessory Parking	P	Hotel or Motel	-
<b>Wireless Communication Facility</b>		<b>Medical or Dental Clinic</b>	-
Colocated	S	<b>Office</b>	-
		<b>Personal and Consumer Service</b>	-
		<b>Retail Sales</b>	
		Large (100,000+ gfa)	-
		Small (up to 100,000 gfa)	-
		<b>Self Storage Facility</b>	-
		<b>Self Storage Facility, Indoor</b>	-
		<b>Sports and Recreation, Participant</b>	
		Outdoor	-
		Indoor	-
		<b>Vehicle Sales and Service</b>	
		Car Wash	-
		Gas Station	-
		Motor Vehicle Repair	-
		Light Equipment and Vehicle Sales or Rental	-
		Heavy Equipment Sales or Rental	-
		Vehicle, Recreational Vehicle or Boat Storage/Towing	-
		<b>INDUSTRIAL USES</b>	
		<b>Manufacturing, Production and Industrial Service</b>	
		Limited	-
		General	-
		Intensive	-
		<b>Research Laboratory</b>	-
		<b>Trucking/Freight Terminal</b>	-
		<b>Warehousing and Wholesaling</b>	-
		<b>Waste-related Use</b>	
		Junkyard	-
		Recycling Facility	-
		Sanitary Landfill	-
		<b>OTHER USES</b>	
		<b>Accessory Uses</b>	S
		<b>Drive-through Facilities</b>	-
		<b>Parking</b>	S
		Accessory Parking	P
		Non-accessory Parking	C
		<b>Wireless Communication Facility</b>	

Freestanding	-
Co-located	S

**PLANNING COMMISSION PROPOSED FINDINGS OF FACT**

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

- 1. the character of the surrounding neighborhood, including the existing uses and zoning classification of properties near the subject property;** The character of the surrounding neighborhood consists of a mixture of developed and undeveloped land, including single family residential homes. Maintenance provided homes are to the south as well as an assisted living facility.
- 2. the physical character of the area in which the property is located;** the physical character of the area in which the property is located is mostly undeveloped land to the north. Single family homes exist to the west of the subject property, in the Harold Estates subdivision, and Foxwood Springs villas as well as assisted living facility are to the south.
- 3. consistency with the goals and objectives of the Growth Management Plan and other plans, codes and ordinances of the City of Raymore;** The Growth Management Plan identifies this property as appropriate for single family residential development, rather than planned unit development.

However, this proposal supports Economic Opportunity Goal #1 of the Growth Management Plan: *Retain existing businesses and encourage the expansion of existing businesses.* The request would allow the property owner(s), an existing business within the community, to include the maintenance building in with the rest of the existing Planned Unit Development. This rezoning unites the whole development into one development.

- 4. suitability of the subject property for the uses permitted under the existing and proposed zoning districts;** The Growth Management Plan identifies this property as appropriate for single family residential development. However, the property owners currently utilize the building for storage of maintenance and associated vehicles. The rezoning allows the development to be combined into one Planned Unit Development and keep all aspects of the business together.
- 5. the trend of development near the subject property, including changes that have taken place in the area since the subject property was placed in its current zoning district;** The trend of development near

the subject property has been slow in recent years. The surrounding property has remained agriculture for a number of years. The owners of the property have indicated that they plan to maintain the agriculture zoning on the remaining 54 acres that surround the maintenance building to the north and east.

6. **the extent to which the zoning amendment may detrimentally affect nearby property;** the proposed zoning map amendment would not detrimentally affect the surrounding properties. The undeveloped land surrounding the subject property has remained undeveloped since it was incorporated into the City. Any uses under the proposed zoning classification are required to provide adequate screening and landscaping to protect adjacent properties from visual and physical obstruction.
7. **whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;** Limited public infrastructure exists on the site in its current state, with the exception of a sanitary sewer line that runs north-south along the site. Any development that occurs on the property will require the extension of the water line and storm sewer to serve the site.
8. **the suitability of the property for the uses to which it has been restricted under the existing zoning regulations;** under the existing zoning classification, the subject property is restricted to agricultural development only. The area is already being utilized for maintenance and the rezoning would bring those 4 acres into the PUD and its' restrictions.
9. **the length of time (if any) the property has remained vacant as zoned;** the property has remained vacant since it was incorporated into the City.
10. **whether the proposed zoning map amendment is in the public interest and is not solely in the interests of the applicant; and** the proposed zoning map amendment is in the public interest.
11. **the gain, if any, to the public health, safety and welfare due to the denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.** there will be no gain to the public health, safety and welfare of the community as a result of the denial of the application. Denial of the application would prohibit the applicant from selling the overall assisted living building, as the maintenance building should be included with the larger development.

## REVIEW OF INFORMATION AND SCHEDULE

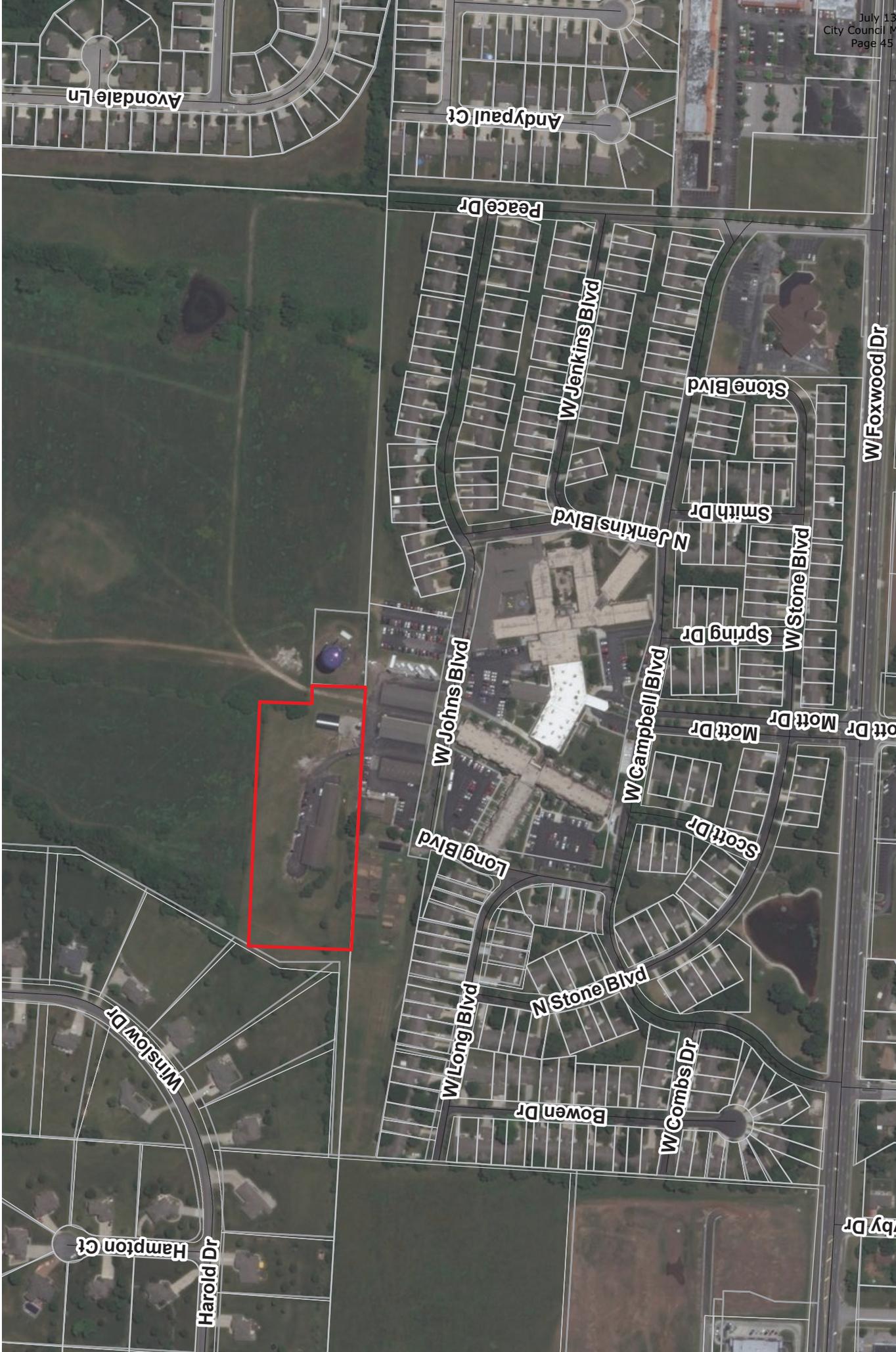
<u>Action</u>	<u>Planning Commission</u>	<u>City Council 1<sup>st</sup></u>	<u>City Council 2<sup>nd</sup></u>
Public Hearing	June 16, 2020	June 22, 2020	July 13, 2020

## **STAFF RECOMMENDATION**

City Staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case #20003, rezoning of 4 acres to the north of Foxwood Springs, from "A" Agricultural District to "PUD" Planned Unit Development to City Council with a recommendation of approval.

## **PLANNING AND ZONING COMMISSION RECOMMENDATION**

The Planning and Zoning Commission, at its June 16, 2020 meeting, voted 8-1 to accept the staff proposed findings of fact and forward Case #20003, rezoning of 4 acres to the north of Foxwood Springs, from "A" Agricultural District to "PUD" Planned Unit Development to City Council with a recommendation of approval.



**Area to be rezoned**



Note: The City makes no warranty of any kind, expressed or implied, regarding fitness of information shown for a particular use.





**CITY OF RAYMORE**  
**AGENDA ITEM INFORMATION FORM**

DATE: June 22, 2020

SUBMITTED BY: Jim Cadoret

DEPARTMENT: Development Services

<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Presentation	<input checked="" type="checkbox"/> Public Hearing
<input type="checkbox"/> Agreement	<input type="checkbox"/> Discussion	<input type="checkbox"/> Other	

**TITLE / ISSUE / REQUEST**

Bill 3554: Vacation of Alley - T.B. Hanna Station

**STRATEGIC PLAN GOAL/STRATEGY**

2.2.3: Value and protect natural resources and green spaces

**FINANCIAL IMPACT**

Award To:  
Amount of Request/Contract:  
Amount Budgeted:  
Funding Source/Account#:

**PROJECT TIMELINE**

Estimated Start Date	Estimated End Date
----------------------	--------------------

**STAFF RECOMMENDATION**

Approval

**OTHER BOARDS & COMMISSIONS ASSIGNED**

Name of Board or Commission: Planning and Zoning Commission  
Date: June 16, 2020  
Action/Vote: Approval 9-0

**LIST OF REFERENCE DOCUMENTS ATTACHED**

Staff Report  
Location Map

**REVIEWED BY:**

Jim Feuerborn

## BACKGROUND / JUSTIFICATION

T.B. Hanna Station is located in Block 8 of the Original Plat of the City of Raymore. The plat established a 14-foot wide north-south alley that connects Maple Street with Olive Street. This alley right-of-way is unimproved but does contain both public and private utilities.

To ensure the safety of individuals that utilize T.B. Hanna Station, staff desires to vacate the alley right-of-way to prohibit its use for vehicular traffic. An easement will be maintained to ensure that utility companies retain the ability to maintain their facilities.

**BILL 3554**

**ORDINANCE**

**“AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, VACATING THE ALLEY RIGHT-OF-WAY LOCATED IN BLOCK 8 OF THE ORIGINAL PLAT OF THE CITY OF RAYMORE, CASS COUNTY, MISSOURI.”**

**WHEREAS**, the City of Raymore is the owner of all property adjacent to the platted alley right-of-way located in Block 8 of the Original Plat of the City of Raymore; and

**WHEREAS**, the City of Raymore, Missouri is redeveloping the entire block as a City park and the use of the alley for access and traffic flow is no longer necessary; and

**WHEREAS**, the Planning and Zoning Commission held a public hearing regarding the proposed right-of-way vacation on June 16, 2020 and has made a recommendation of approval to vacate the alley right-of-way; and

**WHEREAS**, the City Council held a public hearing regarding the proposed right-of-way vacation on June 22, 2020 and determined the proposed vacation is in the best interest of the City.

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

Section 1. The City Council vacates the following platted right-of-way:

Fourteen-foot alley located in Block 8 of the Original Plat of the City of Raymore, Missouri.

Section 2. Easement Rights. A utility easement is provided over the entire vacated right-of-way for the purpose of public and private utilities to have use and access rights to the former right-of-way.

Section 3. Acceptance of Finding. The City Council makes the findings of fact and accepts the recommendation of the Planning and Zoning Commission.

Section 4. Reversionary Rights. The statutory right of reversion in the owners of the abutting property is confirmed, as is provided by the laws of the State of Missouri, and the Mayor and the Clerk of the City are hereby authorized to execute all necessary instruments required to confirm the reversionary rights of the owners of property abutting on the area vacated, as described in Section 1 of this Ordinance.

Section 5. Recordation of Vacation. The City Council authorizes and directs the City Manager and City Clerk to evidence approval of the vacation of the right-of-way identified herein executing a Vacation of Right-of-Way in recordable format and to record the same with the Cass County Recorder of Deeds.

Section 6. Effective Date. The effective date of approval of this Ordinance shall be coincidental with the Mayor's signature and attestation by the City Clerk.

Section 7. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**DULY READ THE FIRST TIME THIS 22ND DAY OF JUNE, 2020.**

**BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 13TH DAY OF JULY, 2020, BY THE FOLLOWING VOTE:**

Councilmember Abdelgawad  
Councilmember Barber  
Councilmember Berendzen  
Councilmember Burke III  
Councilmember Circo  
Councilmember Holman  
Councilmember Jacobson  
Councilmember Townsend

ATTEST:

APPROVE:

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

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

\_\_\_\_\_  
Date of Signature



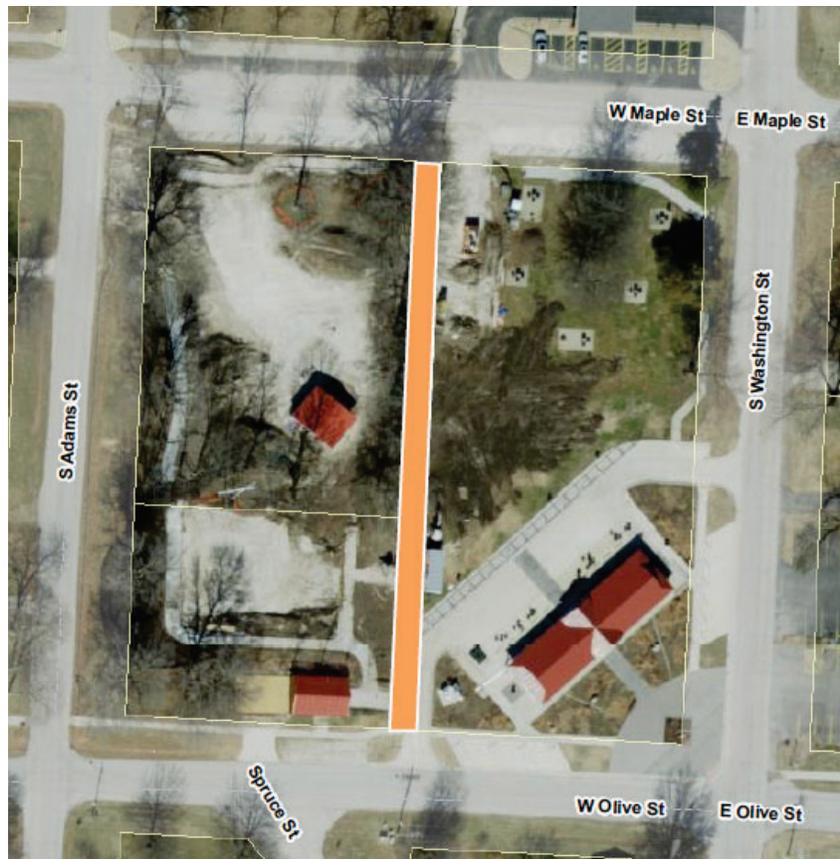
**To:** City Council  
**From:** Planning and Zoning Commission  
**Date:** June 22, 2020  
**Re:** Case #20005 Original Town Block 8 Alley Vacation

**GENERAL INFORMATION**

**Applicant/  
Property Owner:** City of Raymore, Missouri  
100 Municipal Circle  
Raymore, MO 64083

**Requested Action:** To vacate the 14-foot alley in Block 8 of the Original Plat of the City of Raymore

**Property Location:** T.B. Hanna Station, Olive and Washington Street

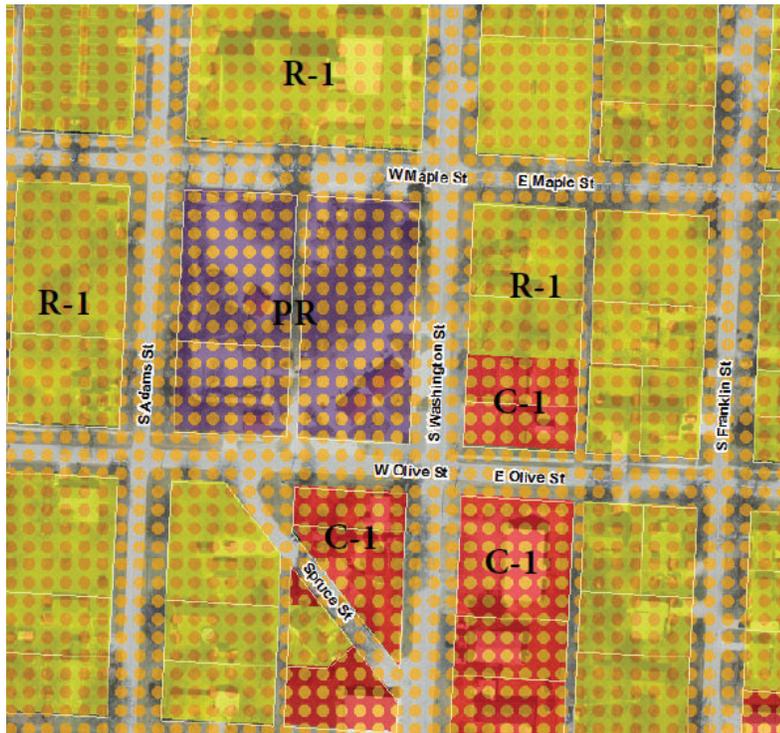


**Property Photograph:**



View looking south from Maple Street at the alley right-of-way

**Existing Zoning:** "PR/OT" Parks, Recreation and Public Use District/Original Town Overlay District



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

**Major Street Plan:** The Major Thoroughfare Plan Map contained in the Growth Management Plan classifies Maple Street, Washington Street, Olive Street, and Adams Street as Local Roads.

**Legal Description:**

Fourteen-Foot alley located in Block 8 of the Original Plat of the City of Raymore, Cass County, Missouri

**Advertisement:** May 28, 2020 **Journal** newspaper  
June 4, 2020 **Journal** newspaper

**Public Hearing:** June 16, 2020 Planning Commission meeting.  
June 22, 2020 City Council meeting

**Items of Record:** **Exhibit 1. Notice of Publication**  
**Exhibit 2. Unified Development Code**  
**Exhibit 3. Application**  
**Exhibit 4. Growth Management Plan**  
**Exhibit 5. Staff Report**

**Additional exhibits as presented during hearing**

## **REQUEST**

Applicant is requesting to vacate the fourteen-foot wide, north-south oriented alley, between Maple Street and Olive Street, in Block 8 of the Original Plat of the City of Raymore.

## **EASEMENT VACATION REQUIREMENTS**

The following sections of the City Code are applicable to this application:

Chapter 530: Streets

Section 530.010 - Procedures for Vacation

- 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 of. 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 Streets - Generally.

1. No vacation of a street shall take place, unless the consent of the persons owning two-thirds ( $\frac{2}{3}$ ) of the property immediately adjoining has been obtained in writing, which consent shall be acknowledged before a Notary Public and filed for record with the Cass County Recorder of Deeds. If the street is vacated, all title shall vest in the person owning the property on each side in equal proportions according to the length or breadth of such ground, as the same may border on such street.
2. No public street shall be vacated until it has been submitted to the Planning Commission at a public hearing, for recommendation to the City Council.
3. After holding a public hearing the City Council, by a majority vote, may approve or disapprove the vacation.

## **PREVIOUS PLANNING ACTIONS ON OR NEAR THE PROPERTY**

1. The Original Plat of the City of Raymore was recorded in 1912.
2. All twenty blocks in the Original Plat of Raymore contain a fourteen-foot wide, north-south oriented alley.
3. In 2003 the north-south alley located in Block 3, which is immediately to the north of Block 8, was vacated to allow for the expansion of the First Baptist Church on the north side of Maple Street.
4. In 2003 a request from the First Baptist Church to vacate Adams Street between Maple Street and 58 Highway was denied by the City Council.
5. The alley in Block 6, which is located between Maple and Olive Street, and Madison and Jefferson Street, where the Raymore Presbyterian Church is located, has been vacated. No official record could be found as to when this alley was vacated.
6. The site plan for T.B. Hanna Station was approved by the Planning and Zoning Commission on August 21, 2018.

## **STAFF COMMENTS**

1. Only a few portions of the platted alleys in Original Town have been improved for use by vehicles.

2. There are overhead utilities (electrical; cable) and underground utilities (water main) located in the alley right-of-way in Block 8. An easement will be provided over the vacated alley right-of-way to allow utilities access for maintenance purposes.
3. The City of Raymore owns all of the property on both sides of the alley.
4. Vacation of the alley right-of-way will enable the City to prohibit any vehicular traffic from accessing the T.B. Hanna Station area in any area other than adjacent to the Depot.
5. The site plan approved by the Planning and Zoning Commission for T.B. Hanna Station anticipated the vacation of the alley right-of-way.



6. When right-of-way is vacated, the statutory right of reversion in the owners of the abutting property allows for the vacated area to be divided evenly among adjoining property owners. The City will assume ownership of all of the right-of-way area being vacated.

## **ENGINEERING DIVISION COMMENTS**

The Engineering Department has reviewed the application, and has recommended approval of the request.

## **PLANNING COMMISSION PROPOSED FINDINGS OF FACT**

Under Section 530.010 of the Raymore City Code, the City Council has exclusive power to vacate any alley or part of provided that :

- 1. consent of the persons owning two-thirds ( $\frac{2}{3}$ ) of the property immediately adjoining the area to be vacated has been obtained in writing; and**

Consent has been obtained from the persons owning all of the property immediately adjoining the area to be vacated.

- 2. the vacation request has been submitted to the Planning and Zoning Commission at a public hearing for recommendation to the City Council.**

A public hearing was advertised for the June 16, 2020 meeting of the Planning and Zoning Commission.

## **REVIEW OF INFORMATION AND SCHEDULE**

<u>Action</u>	<u>Planning Commission</u>	<u>City Council 1<sup>st</sup></u>	<u>City Council 2<sup>nd</sup></u>
Public Hearing	June 16, 2020	June 22, 2020	July 13, 2020

## **STAFF RECOMMENDATION**

Staff recommends that the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case #20005 - Original Town Block 8 Alley Right-of-Way Vacation to the City Council with a recommendation of approval.

## **PLANNING AND ZONING COMMISSION RECOMMENDATION**

The Planning and Zoning Commission, at its June 16, 2020 meeting, voted 9-0 to accept the staff proposed findings of fact and forward Case #20005 - Original Town Block 8 Alley Right-of-Way Vacation to the City Council with a recommendation of approval.



Date: 5/5/2020



The City makes no warranty of any kind, expressed or implied, regarding fitness of the information shown for a particular use.





**CITY OF RAYMORE**  
**AGENDA ITEM INFORMATION FORM**

DATE: June 22, 2020

SUBMITTED BY: Jim Cadoret

DEPARTMENT: Development Services

<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Presentation	<input type="checkbox"/> Public Hearing
<input type="checkbox"/> Agreement	<input type="checkbox"/> Discussion	<input type="checkbox"/> Other	

**TITLE / ISSUE / REQUEST**

Bill 3555: Eastbrooke at Creekmoor First Plat

**STRATEGIC PLAN GOAL/STRATEGY**

3.2.4: Provide quality, diverse housing options that meet the needs of our community

**FINANCIAL IMPACT**

Award To:  
Amount of Request/Contract:  
Amount Budgeted:  
Funding Source/Account#:

**PROJECT TIMELINE**

Estimated Start Date	Estimated End Date
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**STAFF RECOMMENDATION**

Approval

**OTHER BOARDS & COMMISSIONS ASSIGNED**

Name of Board or Commission: Planning and Zoning Commission  
Date: 6/16/2020  
Action/Vote: Approval 9-0

**LIST OF REFERENCE DOCUMENTS ATTACHED**

Staff Report  
Development Agreement  
Final Plat

**REVIEWED BY:**

Jim Feuerborn

## BACKGROUND / JUSTIFICATION

Ernie Deaton, representing Cooper Land Development Inc., is requesting approval of Eastbrooke at Creekmoor First Final Plat, a 34-lot single-family subdivision proposed for the west side of North Madison Street, south of the Creekmoor maintenance building.

This phase of Creekmoor proposes single-family detached homes on narrow lots. The lots have been reduced in width and size to provide a new housing option for buyers within the Creekmoor community.

**BILL 3555**

**ORDINANCE**

**"AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, APPROVING THE EASTBROOKE AT CREEKMOOR FIRST PLAT, LOCATED IN SECTION 4, TOWNSHIP 46N, RANGE 32W, RAYMORE, CASS COUNTY, MISSOURI."**

**WHEREAS**, the Planning and Zoning Commission met and reviewed this request and submits a recommendation of approval on the application to the City Council of the City of Raymore, Missouri; and

**WHEREAS**, the City Council of the City of Raymore, Missouri, in accordance with the provisions of the Raymore Unified Development Code, held a meeting to approve the dedication to the public use of any street or ground shown upon the plat; and

**WHEREAS**, the City Council of the City of Raymore, Missouri, finds and declares that the provisions contained and enacted are for the purposes of securing and promoting the public safety, health, and general welfare of persons in the City of Raymore in their use of public rights-of-ways.

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

Section 1. The City Council makes its findings of fact as contained in the staff report and accepts the recommendation of the Planning and Zoning Commission.

Section 2. That the subdivision known as Eastbrooke at Creekmoor First Plat is approved for the tract of land described below:

ALL THAT PART OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 46 NORTH, RANGE 32 WEST, IN RAYMORE, CASS COUNTY, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 2°29'43" WEST, ALONG THE EAST LINE OF SAID QUARTER, A DISTANCE OF 395.86 FEET TO THE POINT OF BEGINNING OF THE PART TO BE DESCRIBED HEREIN; THENCE SOUTH 2°29'43" WEST, CONTINUING ALONG SAID QUARTER LINE, A DISTANCE OF 931.72 FEET; THENCE NORTH 88°02'53" WEST, A DISTANCE OF 224.42 FEET; THENCE NORTH 2°29'43" EAST, A DISTANCE OF 151.77 FEET; THENCE NORTH 87°30'17" WEST, A DISTANCE OF 30.58 FEET; THENCE NORTH 2°29'43" EAST, A DISTANCE OF 50.00 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF SOUTH 87°30'17" EAST, A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 90°00'00", AND AN ARC DISTANCE OF 23.56 FEET; THENCE NORTH 2°29'43" EAST, A DISTANCE OF 47.09 FEET; THENCE NORTH 87°30'17" WEST, A DISTANCE OF 118.00 FEET; THENCE NORTH 2°03'42" EAST, A DISTANCE OF 127.09 FEET; THENCE NORTH 67°16'59" WEST, A DISTANCE OF 48.56 FEET; THENCE NORTH 58°25'16" WEST, A DISTANCE OF 49.81 FEET; THENCE NORTH 48°55'12" WEST, A DISTANCE OF 27.68 FEET; THENCE NORTH 87°56'12" WEST, A DISTANCE OF 47.84 FEET; THENCE NORTH 22°03'35" WEST, A DISTANCE OF 31.20 FEET; THENCE NORTH 15°06'00" WEST, A DISTANCE OF 35.04 FEET; THENCE NORTH 26°25'27" WEST, A DISTANCE OF 38.00 FEET; THENCE NORTH 29°39'48" WEST, A DISTANCE OF 43.13 FEET; THENCE NORTH 42°09'25" WEST, A DISTANCE OF 12.50 FEET; THENCE NORTH 60°25'09" EAST, A DISTANCE OF 67.42 FEET; THENCE NORTH 48°19'38" EAST, A DISTANCE OF 86.83 FEET; THENCE NORTH 23°06'15" EAST, A DISTANCE OF 79.22 FEET; THENCE NORTH 1°13'19" EAST, A DISTANCE OF 174.14 FEET; THENCE SOUTH 87°30'18" EAST,

A DISTANCE OF 447.77 FEET; TO THE POINT OF BEGINNING CONTAINING 370835 SQUARE FEET OR 8.513 ACRES, MORE OR LESS.

Section 3. The Development Agreement between the City of Raymore, Missouri and Cooper Land Development, Inc. is approved and the City Manager is directed to execute said agreement on behalf of the City of Raymore, Missouri.

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

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

**DULY READ THE FIRST TIME THIS 22ND DAY OF JUNE, 2020.**

**BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 13TH DAY OF JULY, 2020, BY THE FOLLOWING VOTE:**

Councilmember Abdelgawad  
Councilmember Barber  
Councilmember Berendzen  
Councilmember Burke III  
Councilmember Circo  
Councilmember Holman  
Councilmember Jacobson  
Councilmember Townsend

ATTEST:

APPROVE:

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

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

\_\_\_\_\_  
Date of Signature



**To:** City Council  
**From:** Planning and Zoning Commission  
**Date:** June 22, 2020  
**Re:** Case #20007: Eastbrooke at Creekmoor First Final Plat - Lots 1 thru 34 and Tracts A, B, & C

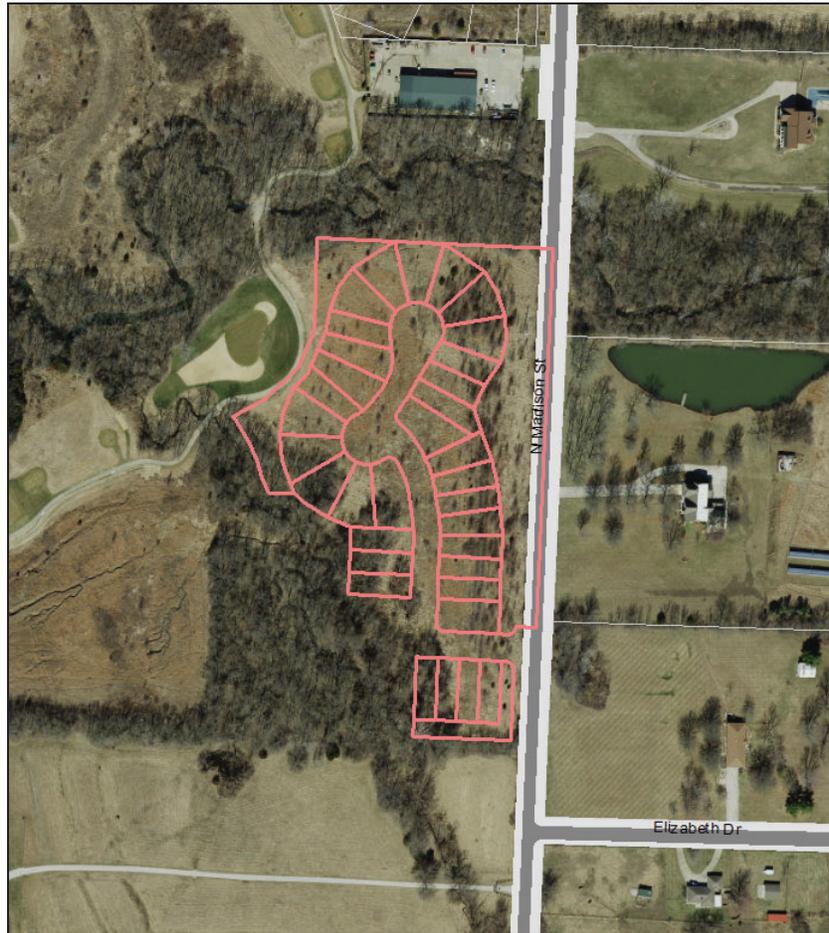
### GENERAL INFORMATION

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

**Property Location:** N. Madison Street & Hampstead Drive



**2020 Aerial Photograph:**



**Existing Zoning:** "PUD" Planned Unit Development

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

**Existing Surrounding Uses:** **North:** Planned Residential  
**South:** Planned Residential  
**East:** Single Family Residential Estate Lots  
**West:** Golf Course

**Total Tract Size:** 8.513 acres

**Total Number of Lots:** 34 Lots; 3 Tracts

**Density – units per Acre:** 7.88

**Growth Management Plan:** The Future Land Use Plan Map contained in the Growth Management Plan identifies this area as appropriate for high-density residential development and open space.

**Major Street Plan:** The Major Thoroughfare Plan Map classifies North Madison Street as a major collector road and Hampstead Drive as a minor collector road.

**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 *Eastbrooke at Creekmoor 1st Final Plat - Lots 1 thru 37 and Tracts A, B & C*

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. The Cunningham at Creekmoor 3rd Plat, located to the north, was approved by the City Council on February 25, 2019.
3. The site plan for the community pool, located on Tract C in the Cunningham at Creekmoor 2nd Plat was approved by the Planning Commission on October 3, 2017

## **ENGINEERING DIVISION COMMENTS**

In its attached memorandum the Engineering Division indicated the proposed final plat complies with the design standards of the City of Raymore and recommends approval of the final plat.

## **STAFF COMMENTS**

1. The current bulk and dimensional standards for this phase of the "PUD" Planned Unit Development Residential District zoning classification for the property was established by the 6th Amendment to the Creekmoor MOU, approved on November 25, 2019, as provided below:

Requirements	
<b>Minimum Lot Area</b>	
per lot	4,500 sq ft regular lot or cul-de-sac lot; 5,200 sq ft corner lot
<b>Minimum Lot Width (ft.)</b>	30 ft cul-de-sac lot; 40 ft regular lot;; 47 ft. corner lot
<b>Minimum Lot Depth (ft.)</b>	100 ft. cul-de-sac lot; 110 ft regular and corner lot
<b>Yards, Minimum (ft.)</b>	
Front	25
rear	25
side; exterior	7
side; interior	5
<b>Maximum Building Height (feet)</b>	35
<b>Maximum Building Coverage (%)</b>	45

- The lot sizes proposed within the Eastbrooke final plat have been reduced to provide a new housing option for buyers within the Creekmoor community. Due to the decreased lot width, homes within the subdivision are proposed to have less square footage than homes in other phases of Creekmoor and limited to a 2-car garage.
- The adjacent property to the south of Tract C is zoned "A" Agricultural District. No buffer or landscape screening is required within Tract C.
- There is an existing stream channel that separates the subdivision phase from the Creekmoor maintenance facility that is located on adjacent land to the north.
- A right-turn lane for southbound traffic on Madison Street at its intersection with Hampstead Drive will be installed as part of the public improvements.
- Hampstead Drive will be constructed as a collector road with increased pavement width of 32-feet back of curb to back of curb.

## **PLANNING COMMISSION 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:

- is substantially the same as the approved preliminary plat;**

The proposed final plat, including street names and road alignments are substantially the same as the approved preliminary plat.

2. **complies with all conditions, restrictions and requirements of this Code and of all other applicable ordinances and design standards of the City; and;**

The proposed final plat does comply with all conditions, restrictions and requirements of the Unified Development Code and all other applicable ordinances and design standards for the City.

3. **complies with any condition that may have been attached to the approval of the preliminary plat.**

The proposed plat complies with the conditions of the Memorandum of Understanding that was attached to the approval of the preliminary plat.

## **REVIEW OF INFORMATION AND SCHEDULE**

<u>Action</u>	<u>Planning Commission</u>	<u>City Council 1<sup>st</sup></u>	<u>City Council 2<sup>nd</sup></u>
Review	June 16, 2020	June 22, 2020	July 13, 2020

## **STAFF RECOMMENDATION**

Staff recommends that the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case #20007 Eastbrooke at Creekmoor First Final Plat to the City Council with a recommendation of approval, subject to the following conditions:

1. The applicant shall submit construction drawings with coordinating Lot numbers.
2. Prior to submitting the final plat for recording, the reference to minimum low opening on each of the lots shall be removed from the final plat drawing.

## **PLANNING AND ZONING COMMISSION RECOMMENDATION**

The Planning and Zoning Commission, at its June 16, 2020 meeting, voted 9-0 to accept the staff proposed findings of fact and forward Case #20007 Eastbrooke at Creekmoor First Final Plat to the City Council with a recommendation of approval, subject to the following conditions:

1. The applicant shall submit construction drawings with coordinating Lot numbers.
2. Prior to submitting the final plat for recording, the reference to minimum low opening on each of the lots shall be removed from the final plat drawing.

## Memorandum

**TO:** Planning and Zoning Commission

**FROM:** Michael Krass, Director of Public Works and Engineering

**DATE:** June 9, 2020

**RE:** Eastbrook at Creekmoor Lots 1-34

---

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, Eastbrook of Creekmoor First Plat 4th - Lots 1 through 34, is approximately 8.5 acres.

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

Sanitary Sewer:

Sanitary sewer service to this phase will be provided by extending a gravity main from the existing Cunningham Development.

Water System:

The site will be served by an existing main within the Hampstead Drive right-of way.

Transportation System:

This phase of the project includes the construction of Hampstead Drive and Newport Lane. These roads will be constructed to city standards.

StormWater Management:

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

Recommendation:

The Engineering Division reviewed the application and found that the Final Plat for Eastbrook at Creekmoor –First Plat, Lots 1 – 34 complies with the design standards of the City of Raymore.



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# Gallery Collection Farmhouse Theme Color Combos



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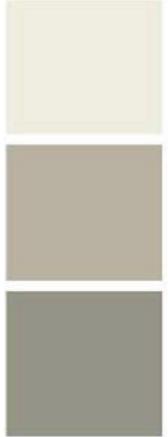
A	
Yellow Scheme	
Main	Birdseye Maple SW2834
Accent	Colonial Revival Gray SW2832
Trim	Alabaster SW7008



C	
Blue/Green Scheme	
Main	Roycroft Sash Green SW2810
Accent	Rookwood Blue Green SW2811
Trim	Alabaster SW7008



E	
Green/Gray Scheme	
Main	Cornwall Slate SW9131
Accent	Silver Gray SW0049
Trim	Alabaster SW7008



B	
Tan Scheme	
Main	Studio Taupe SW7549
Accent	Resort Tan SW7550
Trim	Natural Choice SW7011



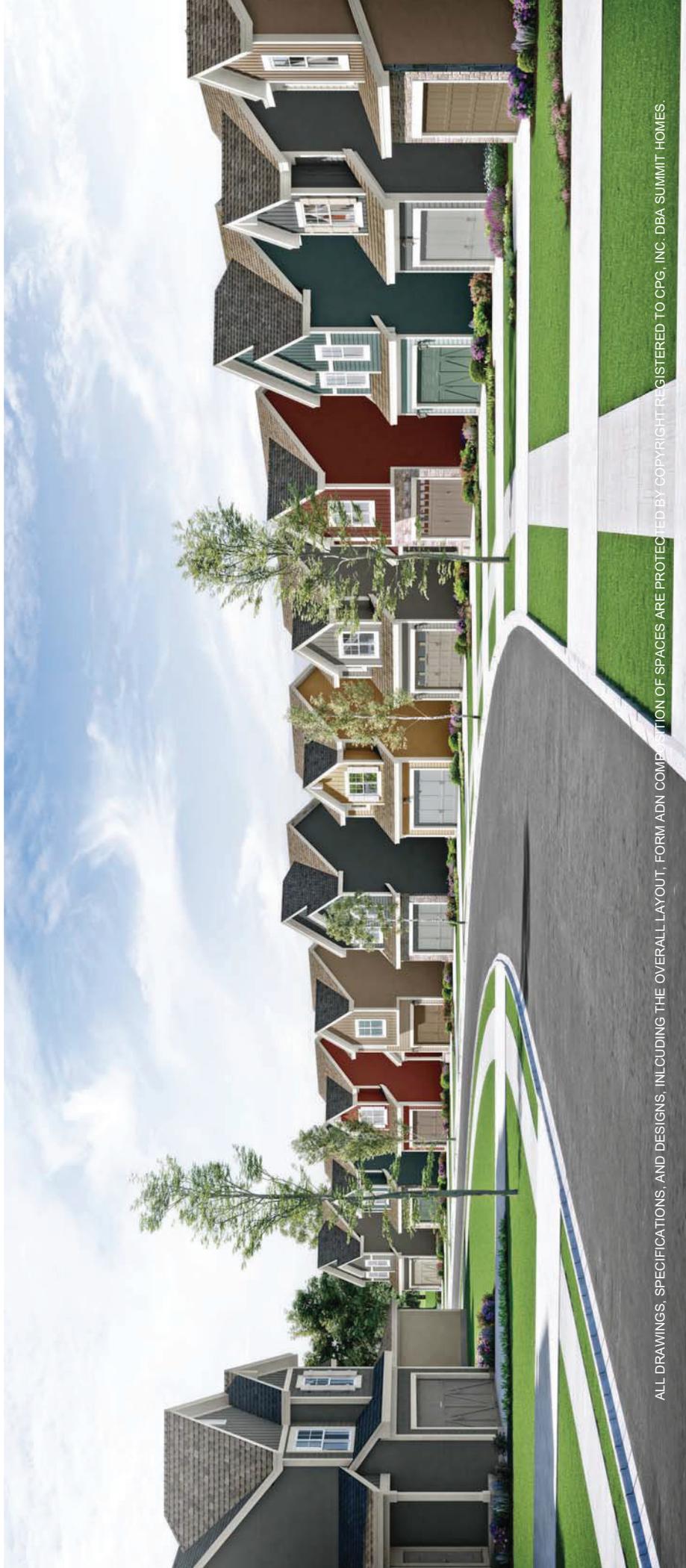
D	
Dark Gray Scheme	
Main	Roycroft Pewter SW2848
Accent	Gray Matter SW7066
Trim	Alabaster SW7008



F	
Red Scheme	
Main	Roycroft Copper Red SW2839
Accent	Weathered Shingle SW2840
Trim	Natural Choice SW7011



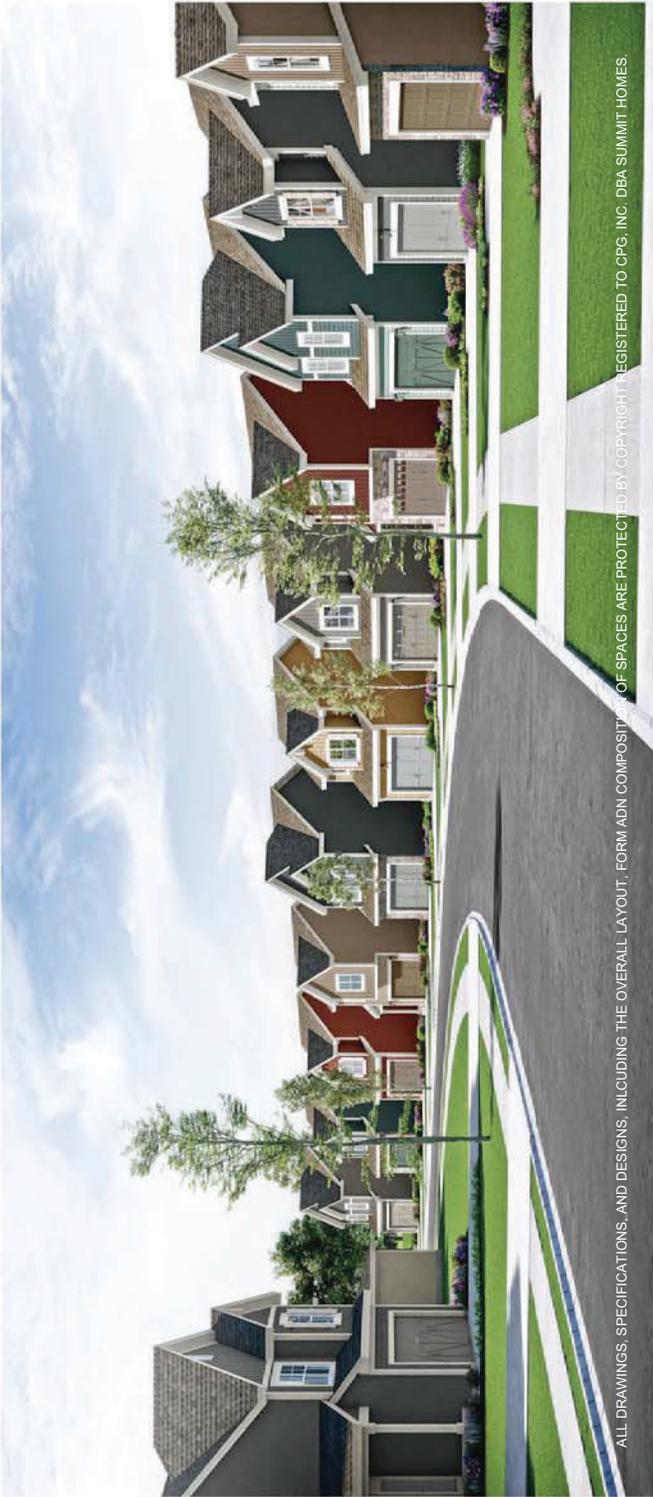




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***Development Agreement***

***For***

***Eastbrooke at Creekmoor First Final Plat  
Lots 1 thru 34  
and Tracts A, B & C***

Legal Description Contained on Page 2

**Between Cooper Land Development, Inc., Grantor  
and**

**City of Raymore, Grantee  
100 Municipal Circle  
Raymore, MO 64083**

***July 13, 2020***

## DEVELOPMENT AGREEMENT

THIS AGREEMENT MADE THIS 13<sup>th</sup> day of July, 2020, by and between, **Cooper Land Development, Inc.** hereinafter referred to as "Sub-divider" and the City of Raymore, Missouri, a Municipal Corporation, hereinafter referred to as "City".

WHEREAS, Sub-divider seeks to obtain approval from the City for a subdivision to be known as **Eastbrooke at Creekmoor First Final Plat Lots 1 thru 34 and Tracts A, B & C** which is located in the City of Raymore, Cass County, Missouri, and;

WHEREAS, the Sub-divider, herein defined, agrees to assume all subdivision development obligations of the City as described in this agreement, and;

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

NOW, THEREFORE, in consideration of the promises and covenants herein set forth, and receipt by the City of fees and costs as stated herein, the parties agree as follows:

### **GEOGRAPHIC LOCATION:**

1. The terms of this agreement apply to the following property and all portions thereof: **Eastbrooke at Creekmoor First Final Plat Lots 1 thru 34 and Tracts A, B & C**

ALL THAT PART OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 46 NORTH, RANGE 32 WEST, IN RAYMORE, CASS COUNTY, MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 2°29'43" WEST, ALONG THE EAST LINE OF SAID QUARTER, A DISTANCE OF 395.86 FEET TO THE POINT OF BEGINNING OF THE PART TO BE DESCRIBED HEREIN; THENCE SOUTH 2°29'43" WEST, CONTINUING ALONG SAID QUARTER LINE, A DISTANCE OF 931.72 FEET; THENCE NORTH 88°02'53" WEST, A DISTANCE OF 224.42 FEET; THENCE NORTH 2°29'43" EAST, A DISTANCE OF 151.77 FEET; THENCE NORTH 87°30'17" WEST, A DISTANCE OF 30.58 FEET; THENCE NORTH 2°29'43" EAST, A DISTANCE OF 50.00 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE LEFT HAVING AN INITIAL TANGENT BEARING OF SOUTH 87°30'17" EAST, A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 90°00'00", AND AN ARC DISTANCE OF 23.56 FEET; THENCE NORTH 2°29'43" EAST, A DISTANCE OF 47.09 FEET; THENCE NORTH 87°30'17" WEST, A DISTANCE OF 118.00 FEET; THENCE NORTH 2°03'42" EAST, A DISTANCE OF 127.09 FEET; THENCE NORTH 67°16'59" WEST, A DISTANCE OF 48.56 FEET; THENCE NORTH 58°25'16" WEST, A DISTANCE OF 49.81 FEET; THENCE NORTH 48°55'12" WEST, A DISTANCE OF 27.68 FEET; THENCE NORTH 87°56'12" WEST, A DISTANCE OF 47.84 FEET; THENCE NORTH 22°03'35" WEST, A DISTANCE OF 31.20 FEET; THENCE NORTH 15°06'00" WEST, A DISTANCE OF 35.04 FEET; THENCE NORTH 26°25'27" WEST, A DISTANCE OF 38.00 FEET; THENCE NORTH 29°39'48" WEST, A DISTANCE OF 43.13 FEET; THENCE NORTH 42°09'25" WEST, A DISTANCE OF 12.50 FEET; THENCE NORTH 60°25'09" EAST, A DISTANCE OF 67.42 FEET; THENCE NORTH 48°19'38" EAST, A DISTANCE OF 86.83 FEET; THENCE NORTH 23°06'15" EAST, A DISTANCE OF 79.22 FEET; THENCE NORTH 1°13'19" EAST, A DISTANCE OF 174.14 FEET; THENCE SOUTH 87°30'18" EAST, A DISTANCE OF 447.77 FEET; TO THE POINT OF BEGINNING CONTAINING 370835 SQUARE FEET OR 8.513 ACRES, MORE OR LESS.

**REQUIRED IMPROVEMENTS:**

1. In accordance with the policies and ordinances of the City, the public improvements described herein shall be constructed and installed on the terms and conditions hereinafter contained. Public improvements within the Subdivision will be installed in accordance with the City of Raymore Standard Contract Documents and Technical Specifications & Design Criteria for Utility and Street Construction dated December 2017.
2. The public improvements are to be designed and installed at the Sub-divider's expense by the Sub-divider and are hereinafter referred to as "Improvements".
3. It shall be the obligation of the Sub-divider to furnish to the City plans and specifications for construction of the Improvements. Before any construction is commenced, the City Public Works Director shall approve plans and specifications for the Improvements. Once the City Public Works Director has approved the plans, any changes to the plans must be submitted to the City Public Works Director for approval.
4. The Sub-divider shall submit the appropriate grading/site/erosion control plan including appropriate sidewalk, meter elevations, and manhole elevations to the City Public Works Director for approval for development of the project. Before any construction is commenced within that phase, the City Public Works Director must approve plans for all required Improvements. It shall be the Sub-divider's responsibility to assure compliance with grading plans.
5. The Sub-divider shall provide a copy of all required State and Federal permits to the City Public Works Director prior to issuance of any City permits.
6. The Sub-divider shall provide and pay for all engineering and surveying necessary to design and construct the Improvements. The Sub-divider shall pay for all other engineering and surveying necessary to design and construct other improvements to the property.
7. The Sub-divider shall install stormwater quality features in the islands of both cul-de-sacs in accordance with plans approved by the Public Works Director. Said features shall be installed as part of the installation of the public Improvements. The Creekmoor POA will be responsible for the maintenance of these features.
8. The Sub-divider agrees to submit a street light plan for City approval and pay the cost of providing and installing the streetlights in accordance with the approved street light plan. The required street lights shall be installed and shall be operational prior to the acceptance of the Improvements for the subdivision.

9. The Sub-divider, in the interest of the general health, welfare and safety of the Citizens of Raymore, agrees to have installed, at their cost, any traffic control devices determined to be necessary by City Staff (410.340). The technical specifications and design criteria are set forth in Public Works Department Policies 120 thru 122 and 129, Street Signage and Traffic Control Devices. The improvement must be installed prior to the City releasing any building permits.

10. The Sub-divider, in the interest of the general health, welfare and safety of the Citizens of Raymore, agree to have installed, at their cost, all required street name signage determined to be necessary by City Staff (410.340). The technical specifications and design criteria are set forth in Public Works Department Policies 120 thru 122 and 129, Street Signage and Traffic Control Devices. The improvement must be installed prior to the City releasing any building permits.

### **INSTALLATION AND MAINTENANCE**

1. Prior to the issuance of building permits, the Sub-divider shall install all Improvements as shown on approved engineering plans of said subdivision and the City Council shall have accepted by Resolution all Improvements.

2. The Sub-divider shall be responsible for the maintenance of the Improvements for a period of two years after acceptance thereof by the City, in accordance with the City specifications and policies.

3. The Sub-divider agrees to provide the City of Raymore “as-built” plans for all Improvements as indicated on the aforementioned plans. Said plans shall be considered a part of the Improvements, for the purpose of acceptance by the City.

4. Prior to acceptance of the Improvements a waiver of mechanic’s lien shall be submitted to the City. The Sub-divider will indemnify and save the City harmless from all claims growing out of the lawful demands of subcontractors, laborers, workers, mechanics, and furnishers of machinery and parts thereof, equipment, tools, and all suppliers, incurred in the furtherance of the performance of the work. The Sub-divider shall, at the City’s request, furnish satisfactory evidence that all obligations of the nature designated above have been paid, discharged or waived.

### **FEES, BONDS & INSURANCE**

1. The Sub-divider agrees to pay to the City a 1% Plan Review Fee and 5% Construction Inspection Fee based on the project engineer’s estimate or contract development costs of all Improvements as shown on approved engineering plans of said subdivision. The City Public Works Director shall review and determine

that the costs, as presented, are reasonable. A list of these fees is provided in Attachment A.

2. The Sub-divider agrees to indemnify the City with a Certificate of Insurance as required in the Unified Development Code of the City of Raymore.

3. The Sub-divider agrees to furnish performance bonds as required in the Unified Development Code of the City of Raymore.

4. Prior to acceptance of Improvements within said subdivision, Sub-divider will provide a guarantee in the form of a Maintenance Bond that is satisfactory to the City Public Works Director. This guarantee shall be based on 50% of the cost of all Improvements shown on approved engineering plans and shall be for a period of two years after acceptance by the City.

5. The Sub-divider agrees to pay to the City a \$9 per acre fee for the placement and maintenance of outdoor warning sirens. The cost of these fees is provided in Attachment A.

6. The Sub-divider agrees to pay any **fees in lieu of parkland dedication** that are required in accordance with City Code. The total fee due for **Eastbrooke at Creekmoor First Final Plat Lots 1 thru 34 and Tracts A, B & C** is **\$4,886.82 (Four Thousand Eight Hundred and Eighty-Six dollars and Eighty-Two Cents)**. Fees paid at the time building permit applications are to be made at a rate of **One Hundred Forty-Three dollars and seventy-three cents (\$143.73) per dwelling unit**.

7. Per Ordinance #20004, the license (excise) tax for building contractors will be charged at the time of building permits at the applicable rate at the time each building permit application is approved.

#### **ADDITIONAL REQUIREMENTS**

1. The Sub-divider agrees to comply with the regulations and policies of the utility companies having facilities within the City limits.

2. All sidewalks shall be five-feet (5') in width and shall be installed on each lot prior to the issuance of a Certificate of Occupancy on the lot.

#### **GENERAL PROVISIONS**

1. The parties agree that execution of this agreement in no way constitutes a waiver of any requirements of applicable City ordinances with which the Sub-divider must comply and does not in any way constitute prior approval of any future proposal for development.

2. The covenants herein shall run with the land described in this agreement and shall be binding and ensure to the benefit of the parties hereto and their successors or assigns and on any future and subsequent purchasers.

3. This agreement shall constitute the entire agreement between the parties and any modification hereof shall be in writing, subject to the approval of the parties.

4. If, at any time, any part hereof has been breached by Sub-divider, the City may withhold approval of any or all building permits applied for in the subdivision, until breach or breaches has or have been cured.

5. This agreement shall be recorded by the Sub-divider and its covenants shall run with the land and shall bind the parties, their assigns and successors in interest and title.

6. Any provision of this agreement which is not enforceable according to law will be severed herefrom and the remaining provisions shall be enforced to the fullest extent permitted by law.

7. The undersigned represent that they each have the authority and capacity from the respective parties to execute this Agreement. This Agreement shall not be effective until approved by ordinance duly enacted by the City Council of the City of Raymore, Missouri.

8. The Sub-divider hereby warrants and represents to the City as inducement to the City's entering into this Agreement, that the Sub-divider's interest in the Subdivision is as a fee owner.

9. The Sub-divider and City acknowledge the Memorandum of Understanding for Creekmoor Subdivision, executed by both parties and approved by City Council on January 26, 2004, June 26, 2006, July 24, 2006, July 23, 2007, July 27, 2015, and November 25, 2019 remains in effect.

10. Whenever in this agreement it shall be required or permitted that Notice or demand be given or served by either party to this agreement to or on the other party, such notice or demand shall be delivered personally or mailed by certified United States mail (return receipt requested) to the addresses hereinafter set forth. Such notice or demand shall be deemed timely given when delivered personally or when deposited in the mail in accordance with the above.

If to the City, at:

City Manager  
100 Municipal Circle  
Raymore, MO 64083

If to the Sub-divider, at:

William H. Kennedy, III, Esq.  
903 North 47<sup>th</sup> Street.  
Rogers, AR 72756

11. The Sub-divider acknowledges that this plat will expire within one year of the date the Raymore City Council approves an ordinance approving **Eastbrooke at Creekmoor First Final Plat Lots 1 thru 34 and Tracts A, B & C**; and that failure for any reason to record the plat does not obligate the City to re-approve the plat no matter what improvements may have been completed in furtherance of the current plat known as **Eastbrooke at Creekmoor First Final Plat Lots 1 thru 34 and Tracts A, B & C**.

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

(SEAL)

THE CITY OF RAYMORE, MISSOURI

\_\_\_\_\_  
Jim Feuerborn, City Manager

Attest:

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

\_\_\_\_\_  
Sub-divider – Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Sub-divider – Signature

\_\_\_\_\_  
Printed Name

Subscribed and sworn to me on this  
the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_  
in the County of \_\_\_\_\_,  
State of \_\_\_\_\_.

Stamp:

Notary Public: \_\_\_\_\_ My Commission Expires: \_\_\_\_\_

# Attachment A

## FEE CALCULATION FOR EASTBROOK AT CREEKMOOR FIRST PLAT

Total Cost for 'New' Public Improvements:      \$504,879

All fees and deposits shall be paid prior to recording the final plat. The land disturbance permit fee and erosion control financial security deposit shall be paid prior to commencement of any land disturbance activity (site grading), or if no land disturbance activity started prior to recording of final plat, paid at time of recording final plat.

1	Land Disturbance Permit Fee. [455.010B] <b>01-00-4170-0000</b> <b>If fee paid prior to recording of plat, receipt # _____</b> <i>*must be paid prior to issuance of a land disturbance permit</i>	\$500.00
2	Erosion Control Financial Security Deposit: Developer shall provide financial security for erosion control in the amount of \$1,000 per acre. The first \$5,000 of the financial security must be by cash deposit to the City. [455.010F] <b>60-00-2811-0000</b> <b>If deposit paid prior to recording of plat, receipt# _____</b> <i>*must be paid prior to issuance of a land disturbance permit</i>	\$5,000.00
	Additional erosion control financial security (The remaining deposit above the first \$5,000 due can be paid in cash) [455.010F]: (8.0 ac. total disturbed) <b>If deposit paid prior to recording of plat, receipt# _____</b>  <b>If letter of credit submitted:</b> <b>financial institution: _____</b> <b>renewal date of letter of credit: _____</b> <i>*must be paid prior to issuance of a land disturbance permit</i>	\$3,000.00
3	Infrastructure Construction Plan Review Fee: An amount equal to one percent (1%) of the estimated public improvement costs performed by the developer. [445.020H1] <b>01-00-4182-0000</b> <i>*must be paid prior to issuance of a construction permit</i>	\$5,048.79
4	Infrastructure Construction Inspection Fee: An amount equal to five percent (5%) of the estimated public improvement costs performed by the developer. [445.020H2] <b>01-00-4165-0000</b> <i>*must be paid prior to issuance of a construction permit</i>	\$25,243.95
5	Emergency Outdoor Warning Siren Fee: \$9.00 per acre                      (8.513 acres) [Schedule of Fees and Charges] <b>01-00-4185-0000</b>	\$76.62

**TOTAL FEES TO BE PAID PRIOR TO RECORDING PLAT.....\$76.62**  
**TOTAL FEES TO BE PAID PRIOR TO ISSUANCE OF A LAND**  
**DISTURBANCE PERMIT..... \$8,500.00**  
**TOTAL FEES TO BE PAID PRIOR TO ISSUANCE OF A**  
**CONSTRUCTION PERMIT FOR PUBLIC IMPROVEMENTS..... \$30,292.74**









**CITY OF RAYMORE**  
**AGENDA ITEM INFORMATION FORM**

DATE: June 22, 2020

SUBMITTED BY: Jim Cadoret

DEPARTMENT: Development Services

<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Presentation	<input type="checkbox"/> Public Hearing
<input type="checkbox"/> Agreement	<input type="checkbox"/> Discussion	<input type="checkbox"/> Other	

**TITLE / ISSUE / REQUEST**

Bill 3556: Brookside Tenth Replat

**STRATEGIC PLAN GOAL/STRATEGY**

3.2.4: Provide quality, diverse housing options that meet the needs of our community

**FINANCIAL IMPACT**

Award To:  
Amount of Request/Contract:  
Amount Budgeted:  
Funding Source/Account#:

**PROJECT TIMELINE**

Estimated Start Date	Estimated End Date
----------------------	--------------------

**STAFF RECOMMENDATION**

Approval

**OTHER BOARDS & COMMISSIONS ASSIGNED**

Name of Board or Commission: Planning and Zoning Commission  
Date: 6/16/2020  
Action/Vote: Approval 9-0

**LIST OF REFERENCE DOCUMENTS ATTACHED**

Staff Report  
Development Agreement  
Final Plat

**REVIEWED BY:**

Jim Feuerborn

## BACKGROUND / JUSTIFICATION

Rick Frye, representing Brookside Builders LLC, is requesting approval of the Replat of Tract X and Tract Y of the Brookside Tenth Final Plat. The replat replaces Tract X with Lot 421. Tract X was the location of a temporary stormwater detention basin that was created when Brookside Tenth was under construction. Tract Y is being divided by creating a new Tract Z. A portion of the remaining Tract Y will be utilized to create Lot 422 which is located on the southern end of Cedar Ridge Drive.

The replat establishes Tract Z along Bristol Drive. This tract is owned by the City of Raymore and will be developed into a trailhead for the Brookside Greenway Trail. Brookside Builders will be constructing improvements to Tract Z, including a 10-space parking lot, trail extension, water fountain, and park bench.

**BILL 3556**

**ORDINANCE**

**“AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, APPROVING THE BROOKSIDE TENTH FINAL PLAT - REPLAT OF TRACT X AND TRACT Y, LOCATED IN THE EAST HALF OF SECTION 20, TOWNSHIP 46N, RANGE 32W, RAYMORE, CASS COUNTY, MISSOURI.”**

**WHEREAS**, the Planning and Zoning Commission met and reviewed this request and submits a recommendation of approval on the application to the City Council of the City of Raymore, Missouri; and

**WHEREAS**, the City Council of the City of Raymore, Missouri, in accordance with the provisions of the Raymore Unified Development Code, held a meeting to approve the dedication to the public use of any street or ground shown upon the plat; and

**WHEREAS**, the City Council of the City of Raymore, Missouri, finds and declares that the provisions contained and enacted are for the purposes of securing and promoting the public safety, health, and general welfare of persons in the City of Raymore in their use of public rights-of-ways.

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

Section 1. The City Council makes its findings of fact as contained in the staff report and accepts the recommendation of the Planning and Zoning Commission.

Section 2. That the subdivision known as Brookside Tenth Final Plat - Replat of Tract X and Tract Y, is approved for the tract of land described below:

Tract X and Tract Y, Brookside Tenth Plat, a subdivision of land in the East Half of Section 20, Township 46 North of the Baseline, Range 32 West of the 5th Principal Meridian, Raymore, Cass County, Missouri, containing 6.57 acres.

Section 3. The Development Agreement between the City of Raymore, Missouri, and Brookside Builders, Inc. is approved and the City Manager is directed to execute said agreement on behalf of the City of Raymore, Missouri.

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

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

**DULY READ THE FIRST TIME THIS 22ND DAY OF JUNE, 2020.**

**BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 13TH DAY OF JULY, 2020, BY THE FOLLOWING VOTE:**

Councilmember Abdelgawad  
Councilmember Barber  
Councilmember Berendzen  
Councilmember Burke III  
Councilmember Circo  
Councilmember Holman  
Councilmember Jacobson  
Councilmember Townsend

ATTEST:

APPROVE:

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

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

\_\_\_\_\_  
Date of Signature

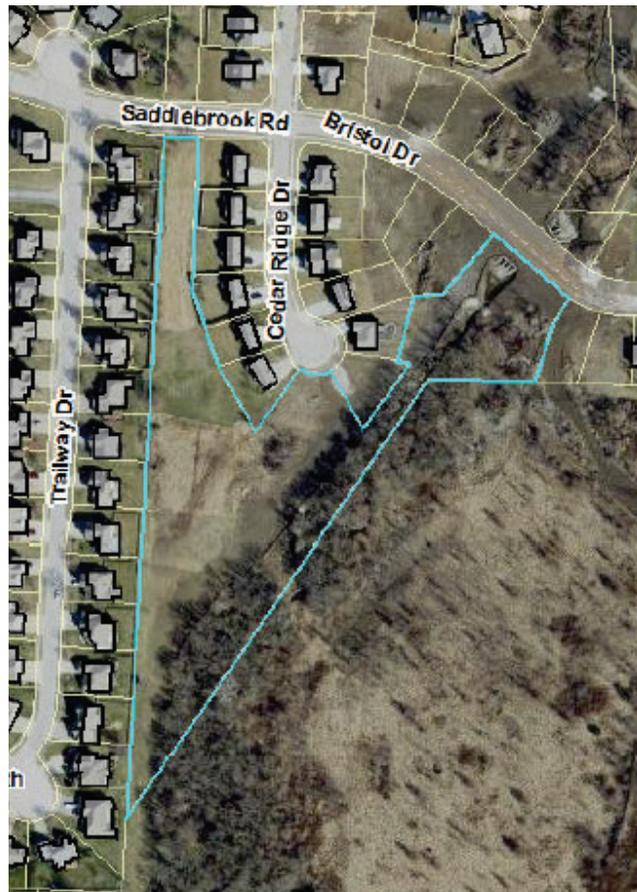


To: City Council  
From: Planning and Zoning Commission  
Date: June 22, 2020  
Re: Case #20006 - Brookside Tenth Final Plat-Replat of Tract X and Y

### GENERAL INFORMATION

Applicant/  
Property Owner: Brookside Investment Inc.  
803 PCA Road  
Warrensburg, MO 64093

Property Location: South of Bristol Drive in Brookside Subdivision



**Existing Zoning:** "R-1" Single-Family Residential

**Existing Surrounding Zoning:** **North:** "R-1" Single-Family Residential  
**South:** "R-1P" Single-Family Residential Planned  
**East:** "R-1P" Single-Family Residential Planned  
**West:** "R-1P" Single-Family Residential Planned

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

**Total Tract Size:** 6.57

**Total Number of Lots:** 2 Lots, 2 Tracts

**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 Bristol Drive as a Minor Collector and Cedar Ridge Drive is classified as a local road.

**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 Brookside Tenth Final Plat - Replat of Tract X and Tract Y.*

*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 Brookside Tenth Final Plat was recorded on September 2, 2015.
2. The extension of Bristol Drive between Cedar Ridge Drive and Brook Parkway is not yet complete. Installation of curbs and street pavement remain to be completed. Once the road is complete and public infrastructure is accepted by the City, an additional ten lots will become available for new homes.

## **ENGINEERING DIVISION COMMENTS**

The Engineering Division indicated the proposed final plat complies with the design standards of the City of Raymore and recommends approval of the final plat.

## **STAFF COMMENTS**

1. Proposed Lot 421 was previously approved as Tract X. Tract X was the location of the temporary stormwater detention basin when the Brookside Tenth phase was being constructed.
2. In the replat Tract X was reduced in size to become Lot 421. On the original Brookside Tenth Plat there was a slight encroachment of floodplain upon Tract X. As part of the replat, Lot 421 was reduced in size to eliminate any floodplain encroachment.
3. Tract Y was dedicated to the City of Raymore when the Brookside Tenth Final Plat was recorded. A 10-stall parking lot and recreation practice field were to be provided on Tract Y.
4. The replat proposes to divide Tract Y and create a new Tract Z. Tract Z is proposed to be the new location of the 10-stall parking lot, which will provide parking for residents wanting to access the Brookside Greenway trail.
5. The Brookside Greenway trail will be continued south from its current terminus to connect with Tract Z.
6. The City will retain ownership of Lot 422, Tract Y and Tract Z if the replat is approved. No transfer of property is done as part of the replat.
7. With the completion of the culvert under Bristol Drive, the developer has submitted a request for a Letter of Map Amendment from the U.S. Army Corps of Engineers to define the boundaries of the floodplain on the subject property.

## **PLANNING COMMISSION 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 replat is substantially the same as the Preliminary Plat. Roadway alignments and lot configurations generally remain the same.

2. **complies with all conditions, restrictions and requirements of this Code and of all other applicable ordinances and design standards of the City; and;**

The proposed replat 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 replat complies with the conditions of the that were attached to the approval of the preliminary plat.

## **REVIEW OF INFORMATION AND SCHEDULE**

<u>Action</u>	<u>Planning Commission</u>	<u>City Council 1<sup>st</sup></u>	<u>City Council 2<sup>nd</sup></u>
Review	June 16, 2020	June 22, 2020	July 13, 2020

## **STAFF RECOMMENDATION**

Staff recommends that the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case #20006 Brookside Tenth Final Plat - Replat of Tract X and Tract Y to the City Council with a recommendation for approval.

## **PLANNING AND ZONING COMMISSION RECOMMENDATION**

The Planning and Zoning Commission, at its June 16, 2020 meeting, voted 9-0 to accept the staff proposed findings of fact and forward Case #20006 Brookside Tenth Final Plat - Replat of Tract X and Tract Y to the City Council with a recommendation for approval.



***Development Agreement***

***For***

***Brookside Tenth Final Plat -  
Replat of Tract X and Tract Y***

Legal Description Contained on Page 2

**Between Brookside Investment, Inc., Grantor and  
City of Raymore, Grantee  
100 Municipal Circle  
Raymore, MO 64083**

***July 13, 2020***

## **DEVELOPMENT AGREEMENT**

THIS AGREEMENT, MADE THIS 13<sup>th</sup> day of July, 2020 by and between, **Brookside Investment, Inc.** hereinafter referred to as “Sub-divider” and the City of Raymore, Missouri, a Municipal Corporation, hereinafter referred to as “City”.

WHEREAS, Sub-divider seeks to obtain approval from the City for a subdivision to be known as **Brookside Tenth Final Plat - Replat of Tract X and Tract Y** which is located in the City of Raymore, Cass County, Missouri, and;

WHEREAS, the Sub-divider, herein defined, agrees to assume all subdivision development obligations of the City as described in this agreement, and;

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

NOW, THEREFORE, in consideration of the promises and covenants herein set forth, and receipt by the City of fees and costs as stated herein, the parties agree as follows:

### **GEOGRAPHIC LOCATION:**

1. The terms of this agreement apply to the following property and all portions thereof: **Brookside Tenth Final Plat - Replat of Tract X and Tract Y**

Tract X and Tract Y, Brookside Tenth Final Plat, a subdivision of land in the East Half of Section 20, Township 46 North of the Baseline, Range 32 West of the 5th Principal Meridian, Raymore, Cass County, Missouri, containing 6.57 acres.

### **FEES, BONDS & INSURANCE**

1. Per Ordinance #20004, the license (excise) tax for building contractors will be charged at the time of building permits at the applicable rate at the time each building permit application is approved.

### **UTILITY REQUIREMENTS**

1. The Sub-divider agrees to comply with the regulations and policies of the utility companies having facilities within the City limits.

2. The sanitary sewer service main that serves the home on Lot 393 of the Brookside Tenth Final Plat crosses through Lot 422. When a home is constructed on Lot 422, the Sub-divider shall construct a new sanitary sewer service line for Lot 393 that connects with the existing sanitary sewer main under Cedar Ridge Drive. The existing service line that crosses through Lot 422 shall

be removed.

3. The Sub-divider shall provide sanitary sewer line connections for Lots 421 and 422.

### **GENERAL PROVISIONS**

1. The parties agree that execution of this agreement in no way constitutes a waiver of any requirements of applicable City ordinances with which the Sub-divider must comply and does not in any way constitute prior approval of any future proposal for development.

2. The covenants herein shall run with the land described in this agreement and shall be binding and ensure to the benefit of the parties hereto and their successors or assigns and on any future and subsequent purchasers.

3. This agreement shall constitute the entire agreement between the parties and any modification hereof shall be in writing, subject to the approval of the parties.

4. If, at any time, any part hereof has been breached by Sub-divider, the City may withhold approval of any or all building permits applied for in the subdivision, until breach or breaches has or have been cured.

5. This agreement shall be recorded by the Sub-divider and its covenants shall run with the land and shall bind the parties, their assigns and successors in interest and title.

6. Any provision of this agreement which is not enforceable according to law will be severed herefrom and the remaining provisions shall be enforced to the fullest extent permitted by law.

7. The undersigned represent that they each have the authority and capacity from the respective parties to execute this Agreement. This Agreement shall not be effective until approved by ordinance duly enacted by the City Council of the City of Raymore, Missouri.

8. The Sub-divider hereby warrants and represents to the City as inducement to the City's entering into this Agreement, that the Sub-divider's interest in the Subdivision is as a fee owner.

9. Whenever in this agreement it shall be required or permitted that Notice or demand be given or served by either party to this agreement to or on the other party, such notice or demand shall be delivered personally or mailed by certified United States mail (return receipt requested) to the addresses hereinafter set

forth. Such notice or demand shall be deemed timely given when delivered personally or when deposited in the mail in accordance with the above.

If to the City, at:

If to the Sub-divider, at:

City Manager  
100 Municipal Circle  
Raymore, MO 64083

Rick Frye.  
803 PCA Road  
Warrensburg, MO 64093

10. The Sub-divider acknowledges that this plat will expire within one year of the date the Raymore City Council approves an ordinance approving **Brookside Tenth Final Plat - Replat of Tract X and Tract Y**; and that failure for any reason to record the plat does not obligate the City to re-approve the plat no matter what improvements may have been completed in furtherance of the current plat known as **Brookside Tenth Final Plat - Replat of Tract X and Tract Y**.

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

(SEAL)

THE CITY OF RAYMORE, MISSOURI

\_\_\_\_\_  
Jim Feuerborn, City Manager

Attest:

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

\_\_\_\_\_  
Sub-divider – Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Sub-divider – Signature

\_\_\_\_\_  
Printed Name

Subscribed and sworn to me on this  
the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_  
in the County of \_\_\_\_\_,  
State of \_\_\_\_\_.

Stamp:

Notary Public: \_\_\_\_\_ My Commission Expires: \_\_\_\_\_



# **New Business**





**CITY OF RAYMORE**  
**AGENDA ITEM INFORMATION FORM**

DATE: July 13, 2020

SUBMITTED BY: Jim Cadoret

DEPARTMENT: Development Services

<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Presentation	<input type="checkbox"/> Public Hearing
<input type="checkbox"/> Agreement	<input type="checkbox"/> Discussion	<input type="checkbox"/> Other	

**TITLE / ISSUE / REQUEST**

Bill 3557: 1st Amendment to the Brookside Tenth Development Agreement

**STRATEGIC PLAN GOAL/STRATEGY**

1.3.2: Develop amenities that meet the diverse needs of the present/future community

**FINANCIAL IMPACT**

Award To:  
Amount of Request/Contract:  
Amount Budgeted:  
Funding Source/Account#:

**PROJECT TIMELINE**

Estimated Start Date	Estimated End Date
----------------------	--------------------

**STAFF RECOMMENDATION**

Approval

**OTHER BOARDS & COMMISSIONS ASSIGNED**

Name of Board or Commission: Parks and Recreation Board  
Date: July 6, 2020  
Action/Vote: Approved 6-0

**LIST OF REFERENCE DOCUMENTS ATTACHED**

Development Agreement  
Map

**REVIEWED BY:**

Jim Feuerborn

## BACKGROUND / JUSTIFICATION

Rick Frye, representing Brookside Investment, Inc., is requesting the 1st amendment to the development agreement for the Brookside Tenth Subdivision. The amendment will allow for modifications to the park land dedication requirement for the subdivision phase.

City staff determined that the location of the proposed parking lot will better serve the residents of the City by being moved to have access directly off of Bristol Drive, adjacent to the Brookside Trail. This allows the parking lot to serve as a trail head with appropriate amenities including a water fountain, bench and bicycle repair station.

The developer of Brookside has agreed to construct the parking lot and associated amenities in exchange for the land area where the parking lot was initially planned.

**BILL 3557**

**ORDINANCE**

**"AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, APPROVING THE 1ST AMENDMENT TO THE BROOKSIDE TENTH FINAL PLAT DEVELOPMENT AGREEMENT."**

**WHEREAS**, the Sub-Divider for the Brookside Tenth Subdivision has submitted a request to modify the park land dedication requirements contained in the Brookside Tenth development agreement; and

**WHEREAS**, the Parks and Recreation Board submits its recommendation of approval on the proposed amendment; and

**WHEREAS**, the City Council of the City of Raymore, Missouri, finds and declares that the provisions contained and enacted are in pursuance of and for the purpose of securing and promoting the public safety, health, and general welfare of persons in the City of Raymore.

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

Section 1. The City Council approves the 1st amendment to the Brookside Tenth Final Plat development agreement.

Section 2. Effective Date. The effective date of approval of this Ordinance shall be coincidental with the Mayor's signature and attestation by the City Clerk.

Section 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**DULY READ THE FIRST TIME THIS 13TH DAY OF JULY, 2020.**

**BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 27TH DAY OF JULY, 2020, BY THE FOLLOWING VOTE:**

Councilmember Abdelgawad  
Councilmember Barber  
Councilmember Berendzen  
Councilmember Burke III  
Councilmember Circo  
Councilmember Holman  
Councilmember Jacobson  
Councilmember Townsend

ATTEST:

APPROVE:

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

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

\_\_\_\_\_  
Date of Signature



***Development Agreement  
1st Amendment***

***For***

***Brookside Tenth Final Plat***

Legal Description Contained on Page 2

**Between Brookside Investment, Inc., Grantor  
and**

**City of Raymore, Grantee  
100 Municipal Circle  
Raymore, MO 64083**

***July 27, 2020***

## DEVELOPMENT AGREEMENT

THIS 1ST AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR THE BROOKSIDE TENTH FINAL PLAT is made and entered into this 27<sup>th</sup> day of July, 2020, by and between, **Brookside Investment, Inc.** hereinafter referred to as “Sub-divider” and the City of Raymore, Missouri, a Municipal Corporation, hereinafter referred to as “City”.

WHEREAS, Sub-divider seeks to obtain approval from the City for an amendment to the development agreement to modify the park land dedication and associated amenities as part of the **Brookside Tenth Final Plat**, which is located in the City of Raymore, Cass County, Missouri, and;

WHEREAS, the Parks and Recreation Board of the City is recommending approval of the 1st Amendment to the Development Agreement for Brookside Tenth Final Plat.

NOW, THEREFORE, Sub-Divider and the City agree to amend the development agreement for Brookside Tenth Final Plat as follows:

### ADDITIONAL REQUIREMENTS

6. The Sub-divider shall construct a ~~40~~11-stall parking lot in Tract Z of the Brookside Tenth Final Plat - Replat of Tract X and Tract Y with access from the ~~southern end of Cedar Ridge Drive~~ Bristol Drive as part of the Improvements for the property.

7. The Sub-divider shall include the following amenities on Tract Z: ~~grade and seed Tract Y for a future park site as part of the Improvements for the property. The grading shall include filling and leveling of the land area of Tract Y that is not located within the floodplain.~~

- Extend the ten foot (10') Brookside Trail south to the southern end of the parking lot
- Directly connect the parking lot with the trail
- Construct a concrete pad alongside the trail to allow for the installation of a park bench
- Purchase a park bench
- Extend water service to the parking lot area
- Purchase and install a drinking fountain
- Construct a concrete pad alongside the trail to allow for the installation of a bike repair station
- Construct a four foot (4') wide sidewalk along Tract Z to allow for future connection to the sidewalk network within the Brookside and Stonegate neighborhoods.

11. The Park land dedication requirement for Brookside Tenth Final Plat is modified as follows:

In exchange for the parking lot and park amenities constructed and installed by the Sub-Divider on Tract Z of the Brookside Tenth Final Plat - Replat of Tract X and Tract Y, the City shall transfer Lot 422 of the Brookside Tenth Final Plat - Replat of Tract X and Tract Y to the Sub-Divider and shall transfer Tract Y of the Brookside Tenth Final Plat - Replat of Tract X and Tract Y to the Homeowner's Association.

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

(SEAL)

THE CITY OF RAYMORE, MISSOURI

\_\_\_\_\_  
Jim Feuerborn, City Manager

Attest:

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

\_\_\_\_\_  
Sub-divider – Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Sub-divider – Signature

\_\_\_\_\_  
Printed Name

Subscribed and sworn to me on this  
the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_  
in the County of \_\_\_\_\_,  
State of \_\_\_\_\_.

Stamp:

Notary Public: \_\_\_\_\_ My Commission Expires: \_\_\_\_\_



**BROOKSIDE TRAIL HEAD**



Extended Trail  
Parking Lot (with ribbon curb)





# Miscellaneous



THE RAYMORE CITY COUNCIL HELD A WORK SESSION ON MONDAY, JULY 6, 2020, AT 7:00 P.M., AT CENTERVIEW, 227 MUNICIPAL CIRCLE. PRESENT: MAYOR TURNBOW, COUNCILMEMBERS ABDELGAWAD, BARBER, BERENDZEN, BURKE, CIRCO, HOLMAN, JACOBSON, AND TOWNSEND. ALSO PRESENT: CITY MANAGER JIM FEUERBORN, CITY ATTORNEY JONATHAN ZERR, AND CITY STAFF.

A. Raymore Police Department Presentation

Police Chief Jan Zimmerman provided an in-depth presentation of the department's policies, procedures and practices that set strict standards for our Officers.

B. Other

The work session of the Raymore City Council adjourned at 8:16 p.m.



49\*THE **PLANNING AND ZONING COMMISSION** OF THE CITY OF RAYMORE, MISSOURI, MET IN REGULAR SESSION **TUESDAY, JUNE 16, 2020**, IN THE HARRELSON ROOM OF CENTERVIEW, 227 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING COMMISSION MEMBERS PRESENT: CHAIRMAN WILLIAM FAULKNER, KELLY FIZER, JIM PETERMANN, MARIO URQUILLA, ERIC BOWIE, MATTHEW WIGGINS, CALVIN ACKLIN, JEREMY MANSUR AND MAYOR KRIS TURNBOW. ALSO PRESENT WERE DEVELOPMENT SERVICES DIRECTOR JIM CADORET, CITY PLANNER KATIE JARDIEU, AND CITY ATTORNEY JONATHAN ZERR.

1. **Call to Order** – Chairman Faulkner called the meeting to order at 7:01 p.m.
2. **Pledge of Allegiance**
3. **Roll Call** – Roll was taken and Chairman Faulkner declared a quorum present to conduct business.
4. **Personal Appearances** – None
5. **Consent Agenda**
  - a. **Approval of the minutes of the February 18, 2020 meeting.**
  - b. **Case #20006 - Brookside 10th Replat of Tracts X & Y**
  - c. **Case #20007 - Eastbrooke at Creekmoor 1st Plat - Final Plat**

**Motion by Commissioner Urquilla, Seconded by Commissioner Acklin, to approve the consent agenda.**

**Vote on Motion:**

Chairman Faulkner	Aye
Commissioner Wiggins	Aye
Commissioner Bowie	Aye
Commissioner Acklin	Aye
Commissioner Fizer	Aye
Commissioner Petermann	Aye
Commissioner Urquilla	Aye
Commissioner Mansur	Aye
Mayor Turnbow	Aye

**Motion passed 9-0-0.**

6. **Unfinished Business - None**
7. **New Business -**
  - a. **Case #20003 - Foxwood Springs Tract Rezoning (public hearing)**

Will Nulton, representing Husch Blackwell for American Retirement Corporation, presented the request to the Commission, highlighting the 4 acre tract and its relation to the overall Foxwood Springs development.

City Planner Katie Jardieu provided the staff report.

Ms. Jardieu stated the request is to reclassify the zoning of 4 acres located to the north from the current "A" Agricultural District zoning to "PUD" Planned Unit Development zoning so that the property is in line with the overall development of Foxwood Springs. She stated the area is surrounded by residential property on the west.

Ms. Jardieu stated the remaining property would remain zoned "A" and is not part of the rezoning.

Ms. Jardieu entered into the record the notices mailed to adjoining property owners; the notice of publication in The Journal; the Unified Development Code; the application submitted; the Growth Management Plan; the staff report; the proposed development plan; and the comments submitted by residents.

*Chairman Faulkner opened the public hearing at 7:11 p.m.*

Cathy Davis, 507 Winslow, expressed her knowledge of the history of the property and dealing with the Disciples of Christ church. She felt the area should be made available as a park which is what the church originally desired. Ms. Davis also expressed concern that if Foxwood Springs development was sold, as previously understood, then the "A" property would likely be further developed and not remain "A".

Robert Schmidt, 505 Winslow, expressed his concern for the request. He wanted to know what could be done with "PUD" zoning as well as what would happen with the current buffer that is in place behind the houses on Winslow.

Ronald Grant, 503 Winslow, shared his concern for the buffer removal as well. He also reiterated his comments about the surveyor's confusion as to who had hired him and what project he was working on. The surveyor had confusion and Mr. Grant then wanted to know if a road was proposed to go in behind the houses.

*Chairman Faulkner closed the public hearing at 7:25 p.m.*

Ms. Jardieu addressed Mr. Grant's comments concerning the surveyor, stating that the surveyor was hired by the city for the sewer project as well as hired by the applicant and this was stated at the Good Neighbor meeting earlier in the year. Ms. Jardieu also addressed the concern about what could be done on the 4 acres that is being rezoned, stating that the applicant would need to bring a plan to the Commission. In terms of a road being built, the property ends at a residential lot and therefore a road is not feasible in this location behind the single family housing at Harold Estates. If the other acreage that is not being rezoned would be developed, it would need to come back before Planning Commission to be rezoned and another Good Neighbor meeting and Public Hearing

Chairman Faulkner asked about the lot in yellow to the west of Foxwood Springs, and if this lot had any action being taken in regards to Kentucky Road.

Commissioner Urquilla stated that he didn't feel any action could be taken into consideration since that is not a part of this rezoning request.

Commissioner Wiggins added that Foxwood Springs is not allowing the City to connect to their roads and they intend for their roads to remain private without connection.

Mr. Nulton then addressed the question about future development and stated that nothing was changing and this was an effort to bring the maintenance shed into the rest of the development and clean up the lot line.

Chairman Faulkner then asked that Mr. Nulton's name be spelled consistently and correctly throughout the staff report.

Mayor Turnbow asked if there was any intention for future improvements on the property and what the purpose of the rezoning was.

Mr. Nulton answered stating that while there are no intentions for improvements, there was initially an interest in selling the property and the buyer needed it to be zoned together.

Mayor Turnbow then followed up saying that the property is not going to change uses.

Commissioner Bowie stated the change in zoning does enhance the value of the property.

Commissioner Wiggins went over the process for making any changes or improvements which involves the applicant coming back to the Planning Commission and City Council.

Commissioner Urquilla asked if the 4 acres could be sold with the rest of the PUD and if it could be separated out from everything. He also asked what the purpose of retaining the rest of the agriculturally zoned property.

Ms. Jardieu stated that the property needs to be rezoned and could not be separated because it would not meet the City's standards for "A" zoning.

Mr. Nulton then stated he did not know what the company he represented wanted to do with the rest of the agriculture land.

**Motion by Commissioner Urquilla, Seconded by Mayor Turnbow, to accept the staff proposed findings of fact and forward Case #20003: Foxwood Springs Tract Rezoning to the City Council with a recommendation of approval.**

**Vote on Motion:**

Chairman Faulkner	Aye
Commissioner Wiggins	Aye
Commissioner Bowie	Aye
Commissioner Acklin	Aye
Commissioner Fizer	Nay
Commissioner Petermann	Aye
Commissioner Urquilla	Aye
Commissioner Mansur	Aye
Mayor Turnbow	Aye

**Motion passed 8-1-0.**

Commissioner Fizer commented she voted against the motion as she has concerns with more of the development being rezoned last.

**b. Case #20005 - Original Town Block 8 Alley Vacation**

Development Services Director Jim Cadoret presented the staff report. He indicated Block 8 is the location of T.B. Hanna Station Park.

Mr. Cadoret stated the request was to vacate an alley so that there was no legal right for others to drive through it. The utility easement would remain in place. The site plan for T.B. Hanna did anticipate this vacation.

Mr. Cadoret stated staff submitted proposed findings of fact on the alley vacation and recommends the Commission accept the proposed findings and forward Case #20005: Original Town Block 8 Alley Vacation to the City Council with a recommendation of approval.

Commissioner Urquilla asked how we got this far into the process without the vacation.

Mr. Cadoret stated it wasn't a necessity as it was not likely that someone would actually drive over the alley, but would help clean it up.

*Chairman Faulkner opened the public hearing at 7:49 p.m.*

No public comments.

*Chairman Faulkner closed the public hearing at 7:50 p.m.*

**Motion by Commissioner Wiggins, Seconded by Commissioner Bowie, to accept the staff proposed findings of fact and forward Case #20005: Original Town Block 8 Alley Vacation to the City Council with a recommendation of approval.**

**Vote on Motion:**

Chairman Faulkner	Aye
Commissioner Wiggins	Aye
Commissioner Bowie	Aye
Commissioner Acklin	Aye
Commissioner Fizer	Aye
Commissioner Petermann	Aye
Commissioner Urquilla	Aye
Commissioner Mansur	Aye
Mayor Turnbow	Aye

**Motion passed 9-0-0.**

**c. Case #20011: Growth management Plan Annual Review and Update**

Ms. Jardieu highlighted the changes made within the Land Use map.

*Chairman Faulkner opened the public hearing at 7:54 p.m.*

No public comments.

*Chairman Faulkner closed the public hearing at 7:55 p.m.*

Chairman Faulkner asked about a specific portion of the Land Use map at Sunset and 58 highway that should be changed as well.

Ms. Jardieu stated she would take a look further.

Commissioner Bowie asked about the traffic study that was mentioned and if the Planning Commission would get a presentation.

Ms. Jardieu stated staff has not gotten the final study but would make a presentation when finalized.

Mayor Turnbow then brought the Planning Sustainable Places grant initiative to the attention of Commissioners and asked Mr. Cadoret to go over the grant.

Mr. Cadoret differentiated between the two studies and that the City wanted to create a base study for Dean Avenue and 58 Highway and then as developers come in they can supplement the study.

Similarly the City, with Grandview and Belton, are participating in a grant study application for a study of alternative methods and connecting the communities along the I-49 corridor.

**Motion by Commissioner Urquilla, Seconded by Commissioner Mansur, to accept the staff recommended changes and approve the updates to the Growth Management Plan.**

**Vote on Motion:**

Chairman Faulkner	Aye
Commissioner Wiggins	Aye
Commissioner Bowie	Aye
Commissioner Acklin	Aye
Commissioner Fizer	Aye
Commissioner Petermann	Aye
Commissioner Urquilla	Aye
Commissioner Mansur	Aye
Mayor Turnbow	Aye

**Motion passed 9-0-0.**

**8. City Council Report**

City Attorney Jonathan Zerr provided a review of the following Council meetings:

February 24 - Sunset Plaza public hearing

March 11 - 2nd Reading of Sunset Plaza which was approved

March 23 - Council allowed the Mayor to issue a state of emergency regarding COVID-19

April 13 - no Planning Commission items were presented

April 27 - Council extended the Mayor's State of Emergency

May 11 - GeoBond discussion

June 8 - no Planning Commission items were presented

**9. Staff Report**

Ms. Jardieu provided an update that the Board of Appeals met this evening at 6:00 p.m. and denied a variance request for a privacy fence at the lot line by a 3-2 vote.

**10. Public Comment**

No public comment

**11. Commission Member Comment**

Commissioner Wiggins was glad to see everyone and thanked staff for the help with some public safety items and would like to note that he will remember what was stated tonight regarding the rezoning for the future to help ease Commissioner Fizers concerns

Commissioner Bowie thanked staff for the updates

Commissioner Fizer appreciated Commissioner Wiggins comments.

Commissioner Acklin thanked everyone for the information and for the management plan. He also appreciates the parks in the City.

Commissioner Urquilla appreciated seeing everyone and all the City is doing. Happy Father's Day to all dads as well.

Commissioner Mansur thanked everyone for the appointment through at least the end of October

Mayor Turnbow highlighted the GO Bond issue for the ballot and how the City will be getting information disseminated and what the money would go towards if passed. He also stated meetings would be transitioning back to City Hall in July.

Chairman Faulkner thanked staff for setting everything up in Centerview to keep the meetings going. He also thanked the Commissioners. Lastly he discussed an article from the Kansas City Star in the June 3rd edition regarding residents raising chickens in urban areas.

## 12. Adjournment

**Motion by Commissioner Wiggins, Seconded by Commissioner Acklin, to adjourn the June 16, 2020 Planning and Zoning Commission meeting.**

### Vote on Motion:

Chairman Faulkner	Aye
Commissioner Wiggins	Aye
Commissioner Bowie	Aye
Commissioner Acklin	Aye
Commissioner Fizer	Aye
Commissioner Petermann	Aye
Commissioner Urquilla	Aye
Commissioner Mansur	Aye
Mayor Turnbow	Aye

**Motion passed 9-0-0.**

The June 16, 2020 meeting adjourned at 8:29 p.m.

Respectfully submitted,

Katie Jardieu