

**CITY OF RAYTOWN
PLANNING & ZONING COMMISSION**

AGENDA

**Raytown City Hall
Board of Aldermen Meeting Chambers
10000 East 59th Street
Raytown, Missouri 64133
April 7, 2022
7:00 pm**

1. Welcome by Chairperson

2. Call meeting to order and Roll Call

Wilson:	Thurman:	Emerson:
Hunt:	Frazier:	Stock:

3. Approval of March 3, 2022, Regular Meeting Minutes

- a) Revisions
- b) Motion
- c) Second
- d) Additional Board Discussion
- e) Vote

4. Old Business: None

5. New Business:

A. Case No.: PZ 2022-04 **ADMINISTRATIVE ACTION, NOT A PUBLIC HEARING******

Applicant: SBD Capital Development

Reason: Approval of Final Plat of Utopia Gardens Subdivision, A New 6-Lot Subdivision Located in the Southeast Quadrant of Lane Avenue and 85th Place in an R-3, High Density Residential District.

- 1. Introduction of Application by Chair
- 2. Explanation of any exparte' communication from Commission members regarding the application
- 3. Enter Additional Relevant City Exhibits into the Record:
 - a. Staff report
 - b. Application Supporting Documents
- 4. Presentation of Application by Staff and Recommendation

5. Applicant Comments (Optional, if Applicant Wishes to Speak)
6. Commission Discussion
7. Commission Decision to Approve, Conditionally Approve, Continue, or Deny the Application
 - a. Motion
 - b. Second
 - c. Additional Board Discussion
 - d. Vote

6. Other Business:

A. Status Update on Cases Presented for Review by Planning Commission in 2021

7. Set Future Meeting Date – Next Regular Meeting, Thursday, May 5, 2022, at 7:00 PM.

9. Adjourn

+CITY OF RAYTOWN
PLANNING & ZONING COMMISSION
REGULAR MEETING
MINUTES

March 3, 2022
7:00 pm
Council Meeting Chambers

1. Welcome by Chairman Wilson. Chairman Wilson called the meeting to order at 7:00 PM.

2. Call meeting to order and Roll Call.

Wilson:	Present	Thurman:	Present	Emerson:	Present
Stock:	Present	Frazier:	Present	Hunt:	Present
Meyers:	Present	Bruenger:	Present		

3. Approval of Minutes: Minutes of February 3, 2022, were approved 7-0-1 (Frazier abstaining due to absence at the February 3 meeting) upon motion by Ms. Stock and second by Ms. Thurman.

4. Old Business: None.

5. New Business:

A. Case No.: PZ 2022-03: Application filed by Jesus and Georgina Aguilera for Approval of a Conditional Use Permit for an “Assembly” Use in the Form of an Event Space, to be Located at 10028 E. 63rd Street in an NC, Neighborhood Commercial District.

1. Introduction of Application by Chairman.

Chairman Wilson opened the public hearing and introduced the application. All persons providing testimony were sworn in by Jennifer Baird, City Attorney.

2. Explanation of any Ex Parte Communications Regarding the Application.

Mr. Meyers noted ex-parte contacts with the parties involved in this case but stated it would not affect his decision on the matter.

3. Enter Relevant Exhibits into the Record.

Chairman Wilson entered the staff report and supporting documents into the record.

4. Applicant Presentation of Application.

Jesus Aguilera presented his application, describing he and his wife's efforts to acquire and operate a small family oriented event space and the year-long remodeling efforts already put into the property to prepare it as such.

5. Staff Presentation of Application.

Chris Gilbert, Planning & Zoning Coordinator provided the staff report, reviewing the location of the application, surrounding zoning and uses of property, compliance with factors to be considered, in addition to the detailed Conditions of Approval for the application.

6. Request for Public Comment by Chairman.

Chairman Wilson asked if anyone was present to speak on this application. No one presented themselves to speak at this public hearing.

7. Commission Discussion.

The commissioners asked several questions of the applicant. The applicant agreed to all staff conditions of approval. Mr. Frazier encouraged the applicant to extend the interior renovations to the exterior front façade on 63rd Street.

8. Commission Decision to Approve, Conditionally Approve, or Deny Application.

Ms. Stock moved, and Mr. Hunt seconded, to recommend approval of the Conditional Use Permit to the Board of Aldermen with the conditions contained in the staff report.

VOTE: Motion passed 7-0-1, Ms. Emerson abstained.

6. Other Business- None.

7. Set Future Meeting Date – Next scheduled meeting date is April 7, 2022.

8. Meeting was Adjourned at 7:59 upon motion by Ms. Emerson and second by Ms. Thurman.



PZ 2022-04

ONLY ADMINISTRATIVE ACTION REQUIRED. NOT A PUBLIC HEARING

To: City of Raytown Planning and Zoning Commission
From: Chris Gilbert, Planning & Zoning Coordinator
Date: April 7, 2022
Re: Application for Final Plat Approval

PLAT APPLICATION SUMMARY

Applicant: Thomas Clemons, RLS
Owner: SBD Capital Development
Project: Utopia Gardens Final Plat
Property Location: South Side of 85th Place east of Lane Ave.
Request: Approval of Final Plat

SITE DATA

Legal Description is attached with Application Supporting Documentation. Entire site being platted is 1.74 acres.

Land Use Data	
Surrounding Zoning	South: High Density Residential
	North: High Density Residential
	West: High Density Residential
	East: High Density Residential
Ward(s)	Ward 5
Approximate Land Area	1.74 Acres
Future Land Use Map	Medium Density Residential

ZONING AND CURRENT USES OF NEARBY PROPERTY

The following provides an overview of the zoning and existing land uses on properties surrounding the subject area:

	<u>ZONING</u>	<u>EXISTING LAND USES</u>
South:	R-3	Single Family, Apartments
North:	R-3	Townhomes
East:	R-3	Duplexes
West:	R-3, some R-2	Single Family, Vacant Land



Fig. 1: Proposed Location of Utopia Gardens

BACKGROUND

The proposed project contains 6 new lots for 4-plex structures on a nearly 2-acre parcel of land that has always been vacant. Land in all directions contains a few older single-family residences and more recent multi-family development including townhomes and duplexes, so the proposed project would be consistent with development in the area. In addition, there is an apartment complex to the south and a large one to the southwest, as well as large amounts of undeveloped acreage.

The preliminary plat was approved by the Planning Commission on September 2, 2021, and the Final Plat application was submitted on February 10, 2022. The engineered drawings for the required public improvements were also submitted for review. The Developer chose Option 1 for the required public improvements related to the plat per Section 38-7(g) of the Raytown Municipal Code. This option requires the improvements to be installed prior to final approval by the Board of Aldermen and recordation of the plat. The latest review comments on these drawings from the City Engineer are attached to this report as we are awaiting a resubmittal that addresses these comments. As of the date of this report, the public improvement installation plans have not been approved by the City Engineer. The Final Plat document itself is in final format to present for signatures and recordation.

Section 38-8 of the Raytown Municipal Code requires the Planning Commission to take action within 60 days of the plat application being filed. As this window is nearly closed, this item has been placed on the agenda without final approval of the engineered drawings by the City Engineer to inform the applicant and owner that the plat is not yet complete and the 60-day window for consideration has been met.

SITE DESCRIPTION AND PRESENT USE

The property to be platted is approximately 1.74 acres in size, has a public street already constructed and some utility access. Additional easements are being provided to accommodate a sewer main extension and stormwater detention area. All of the property contained in the plat area is presently vacant undeveloped land.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The neighborhood around the proposed plat is occupied primarily by medium and high-density residential uses and are consistent with the proposed 4-plex development intended for this project.



Fig. 2 Photos of Location of Plat. Left Picture looking West. Right Picture looking East.

FINDINGS OF FACT

1. Conformance to the City of Raytown Ordinances

Staff has reviewed the submitted final plat with respect to the City of Raytown Subdivision Regulations (Chapter 36) and Zoning Regulations (Chapter 50). Staff has determined that the final plat document (not including issues on engineered drawings) does meet City of Raytown regulations as pertains to the 1.74 acres of land located within the plat boundaries.



Staff Report

Community Development
Planning and Development Services

2. Suitability of the land for subdivision development

The 1.74 acres within the plat area is vacant and already has a public street with utilities and sewer available at the property lines, so there does not appear to be any issues preventing the installation of improvements and construction of new residential structures.

3. Consistency with adjoining uses and platted property

Adjoining uses are mostly high density residential with some medium density and the entire area is presently zoned for high density residential development, which is consistent with the application. There are some low density residential (single family) homes in the vicinity and they are also consistent with R-3, High density Residential, zoning.

4. Adequacy of public facilities and utilities to serve the proposed development

The plat area is undeveloped but currently served by all public facilities and utilities but will require street cuts and utility line extensions on the property.

5. Consideration of planning principles on site including lot layout and topography

The topography of the site does not present any issues and the proposed development meets all R-3, High Density Residential District bulk regulations. The site does drop off along the south boundary but the buildable area on each lot is not significantly affected. This is an infill development on existing infrastructure, although some extensions of utilities and street improvements such as curbing and guttering and sidewalks will be required.

RECOMMENDATION

Staff recommends Case No. PZ 2022-04, Utopia Gardens Final Plat, be continued to the May 5, 2022, Planning Commission meeting based upon the following outstanding requirement remaining to be met::

1. Address all remaining review comments provided by the City Engineer and gain his acceptance of the Engineered Drawings accompanying the Final Plat of Utopia Gardens.



Community Development Department

10000 E 59th Street

Raytown, MO 64133-3993

Phone: 816-737-6014 Fax: 816-737-6164

September 8, 2021

SBD Capital Development
1501 NW Mock Ave.
Blue Springs, MO 64015

Tom Clemons
Area Surveyors
P.O. Box 324
Grandview, MO 64030

Mr. Clemons,

As the representative and surveyor for the Utopia Gardens Subdivision Preliminary Plat project that was presented to the City of Raytown Planning and Zoning Commission on September 2, 2021, I am pleased to provide this letter confirming that the Raytown Planning Commission approved the Preliminary Plat by a unanimous vote. This approval does not constitute approval of the plat in its entirety, but does authorize the applicant to move forward with the detailed engineering and design required for submission of the Final Plat of Utopia Gardens. Included with the submittal of the Final Plat shall be a decision on which method of guarantee for installation of any new public improvements was chosen from the options listed in the Subdivision Ordinance (Section 38-7 of the Raytown Municipal Code).

If you have any questions regarding this letter, please feel free to contact me directly.

Sincerely,

Chris Gilbert
Planning and Zoning Coordinator
10000 E 59th St.
Raytown, MO 64133-3993
816-737-6059
chrisg@raytown.mo.us



Public Works Department

10000 East 59th Street
Raytown, Missouri 64133
(816) 737-6012
www.raytown.mo.us



To: Community Development Dept.
From: Public Works Department
Date: February 22, 2022
Re: Utopia Gardens Lots 1 thru 6

The Public Works Department has reviewed the Utopia Gardens Final Plat and Civil Plans at 85th Place and Lane Avenue with the following comments:

- Final Plat of Utopia Gardens:

- The description on the top right lists it in 2 places as "Lot 5 except the North 38.85 feet, Utopia, Raytown, Jackson County, Missouri, but the Jackson County website lists the property legal description as "UTOPIA, S 125' OF LOT 5". Which is correct?
- Utopia is spelled wrong twice, as Utophia. Once toward the top of the right side, and once at the bottom.
- There is a 20' wide utility easement at the rear of the 6 lots – is this large enough for a stormwater detention basin at the rear of the properties?

- Civil Plans for Utopia Gardens:

- Plan Sheet 1 – Note 1 on the right side should read Total Linear Feet of Storm Pipe. 2 words are misspelled. We don't allow corrugated metal pipe to be used.

- Plan Sheet 1 – Our current utility contact list:

Raytown Public Works Dept.
10000 E. 59th Street, Raytown, MO 64133
816-737-6012
Jason Hanson, City Engineer, jasonh@raytown.mo.us
Kevin Sawyer, PW Inspector, kevins@raytown.mo.us

Public Water Supply District #2
6945 Blue Ridge Blvd.
Raytown, MO 64133
(816) 353-5550
Pat Ertz, District Manager, p.ertz@pwsd2.org
Bruce Pence, Superintendent, B.Pence@pwsd2.org

Spire
3025 S.E Clover Dr.
Lee's Summit Mo. 64082
(816) 756-5252
Peggy.Burns-Yocum@spireenergy.com
Katelynn.Liberty@SpireEnergy.com
Chris.Gunderson@SpireEnergy.com

Established in 1849 as Ray's Town
On the Santa Fe, California and Oregon Trail

AT&T
9444 Nall Ave, Overland Park, KS 66207
Bryan Babcock, 913-383-4934, bb8757@att.com

Century Link
1-800-788-3500

Comcast
3400 W. Duncan Road, Blue Springs, MO 64015
(816) 795-2255
John Meadows, John_Meadows@cable.comcast.com

Evergy
1300 SE Hamblen Rd., Lee's Summit, MO 64081
Doug Davin, 816-347-4320, doug.davin@evergy.com

Google Fiber
816-777-7550
Rachel Merlo, rachelmerlo@google.com
Karen Elliot, kelliot@google.com

Raytown Police Dept.
10000 E. 59th Street, Raytown, MO 64133
816-737-6020 (non-emergency)

Raytown Fire Prevention District
6020 Raytown Trafficway, Raytown, MO 64133
816-737-6034
Mike Hunley, Deputy Chief/Fire Marshall
mikeh@raytownfire.com

Raytown School District Transportation Dept.
5920 hardy Ave, Raytown, MO 64133
816-268-7170
Kevin Easley, Director, kevin.easley@raytownschools.org

- Sheet 2, Site Layout Plan:

- Add curb & gutter along the east side of Lane Avenue.
- Add a 5' sidewalk five foot behind the proposed curb & gutter of Lane Ave.
- Add an ADA ramp on the southeast corner of 85th Place and lane Ave.
- Add a 5' sidewalk five foot behind the existing curb & gutter of 85th Place.

- Sheet 4, Storm Drainage Plan:

- This sheet should be number 4 on the bottom right corner, not sheet 8 of 5.
- A stormwater management plan and detention basin are required. Stormwater detention to withhold the difference from the pre-existing site runoff volume to post-development runoff.
- The plan depicts an existing stormwater pipe is running north to south on the east side of lot 6, and a new structure, JB-1-1, being installed over it. Has this been field verified, or is the existing stormwater pipe just stubbed out of the existing junction box a few feet on the northeast corner of lot 6?
 - if this pipe doesn't exist, then this run of pipe will need to be added to the project.
- North of proposed junction box JB-2-1, remove the existing concrete flume off of 85th Place and install a standard curb inlet in its place. JB-2-1 may not be needed.

- Corrugated metal pipe is not permitted for construction. We have too many issues with CMP rusting, eroding, and failing prematurely. Reinforced concrete pipe is permitted for use.

- Sheet 5, Public Sewer Plan:

- If this development is to be proposed with duplexes, the City requires each unit to have its own sanitary sewer service line connection to the City main. If this development is to be proposed with 4-plexes (2 on top, 2 on bottom), then each building can have 1 six inch diameter sanitary sewer service line connection to the City main.

Sincerely,

A handwritten signature in blue ink that reads "Jason M. Hanson".

Jason M. Hanson
City Engineer

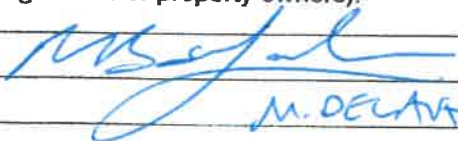
City of Raytown Application for Final Plat

1. Name, address and phone number of property owner(s):
SBD Capital Development
1501 N.W. Mock Ave
Blue Springs Mo.
64015
816-804-1110
816-739-0533
3. Name, address and phone number of developer(s):
Same

marck@sbdhousing.com

2. Name, address, phone and fax numbers of engineer(s) or surveyor(s) preparing the plat:
Tom Clemons
Area Surveyors
P.O. Box 324
Grandview Mo
816-941-7557
4. Legal description of the land to be subdivided (please attach a deed showing the legal description and the ownership of the tract(s) on a separate sheet).
Sout 125', Lot 5, Utopia
5. Approximate street address or location:
Lane Ave East of 85th Place

6. Name of proposed subdivision: Utopia Gardens

7. We, the undersigned, do hereby authorize the submittal of this application and associated documents and certify that all the information contained therein is true and correct (signatures of property owners).

M. DELAURIER, OWNER

City of Raytown Application for Final Plat

1. Name, address and phone number of property owner(s):
SBD Capital Development
1501 N. W. Mock Ave
Blue Springs Mo.
64015
816-804-1110
3. Name, address and phone number of developer(s):
Same

2. Name, address, phone and fax numbers of engineer(s) or surveyor(s) preparing the plat:
Tom Clemons
Area Surveyors
P.O. Box 324
Grandview Mo
816-941-7557

4. Legal description of the land to be subdivided (please attach a deed showing the legal description and the ownership of the tract(s) on a separate sheet).
Sout 125', Lot 5, Utopia
5. Approximate street address or location:
Lane Ave East of 85th Place

6. Name of proposed subdivision: Utopia Gardens

7. We, the undersigned, do hereby authorize the submittal of this application and associated documents and certify that all the information contained therein is true and correct (signatures of property owners).

8. Site Characteristics

A. Total acreage of subdivision:

1.74 acres

E. Total number of lots:

6

B. Acreage this phase (if applicable):

1.74 acres

F. Lots this phase (if applicable):

6

C. Current zoning classification:

R-3

G. Lot Area

Maximum: 14,062 sq. ft.

D. Proposed zoning classification (if applicable):

N.A.

Minimum: 12,125 sq. ft.

Average: 13,094 sq. ft.

9. Public Improvements

Public improvements are required for subdivisions of land in Raytown, such as public roadways, sidewalks, water, sanitary sewer, storm sewer, etc. All improvements must be constructed to City standards.

A. Streets:

Classification (local, collector or arterial): N.A. No streets required

Proposed surface material: _____

Length of roadway: _____

Maximum grade: _____



How will the configuration of streets in this development fit with the transportation network of Raytown? How will the traffic generated from this development affect the traffic circulation in the area? Explain in detail on separate sheets.

B. Will this development be served by public water? YES

C. Will this development be served by public sanitary sewer? YES

- D. Will this development be served by public storm sewer? Yes
- E. Describe the drainage plan for this development, including any easements. Please attach a separate sheet.
- F. Will parkland or green space be dedicated? No

10. Construction Guarantee

The City of Raytown Subdivision Regulations offer 4 options for construction of public improvements within the City. Developers must indicate the options elected.

- Option 1: Complete all required public improvements prior to Board of Aldermen final approval and recording of the plat.
- Option 2: Post a performance bond to the benefit of the City in the amount of the remaining construction costs. Bonds are presented to the Board of Aldermen with the final plat.
- Option 3: Enter into an escrow agreement for the remaining construction costs. Escrow agreements are presented to the Board of Aldermen with the final plat.
- Option 4: Delay construction or bonding until final approval, upon which an escrow agreement or performance bond for 110% of the construction costs must be submitted.

All public improvements must be inspected. No Certificates of Occupancy will be issued before final approval of the public improvements. Developers must file a maintenance bond for 25% of the cost of construction to run for 2 years before acceptance of the improvements by the Raytown Board of Aldermen.

- Option selected for street construction: NA
- Option selected for sanitary sewer construction: Option 1
- Option selected for storm sewer construction: Option 1
- Option selected for other construction: NA
- Option selected for other construction: NA

Have construction plans for the improvements been submitted to the Community Development Department? Yes With This Plat

11. Required Submittals

Eight (8) copies of the plat are required for initial review by staff and the utilities serving the proposed development. Upon review, a letter detailing any required revisions will be released. Ten (10) days prior to the Planning Commission meeting copies of the revised plat must be submitted in the following formats: **Twenty Five (25)** full size folded paper copies and an electronic copy.

Unless Option 4 is selected, construction plans for the City maintained public improvements must be submitted and approved before the final plat can be placed on the agenda of the Planning Commission. Streets, streetlights, sidewalks, sanitary sewer, and storm sewer must be designed in accordance with the most current APWA regulations. In addition, Missouri Department of Natural Resources must approve water and sanitary sewer lines. Copies of letters of authorization from the Department of Natural Resources should be provided to the Raytown Public Works Department. Developers must also submit **two (2) sets of construction plans** to the Raytown Public Works Department and an electronic copy of the plans.

The Raytown Planning Commission may approve, conditionally approve or deny the plat. If the plat is approved or conditionally approved, the plat may be presented to the Board of Aldermen. Additional copies will be required at that time, along with any required plat revisions or submittals associated with the construction of the public improvements. Following approval of the final plat by the Board of Aldermen **three (3) mylar copies, five (5) paper copies** of the approved final plat need to be provided to the Community Development Department all of which need to have been signed by the applicable property owners. The City will then apply the applicable signatures from city officials to each copy of the approved final plat. When all copies of the final plat have been signed the signed final plats shall be provide to the applicant for recording. **Following recording, one mylar copy and two paper copies of the recorded final plat will need to be returned to the Community Development Department.**

Further information is available at the Raytown Community Development Department at 816-737-6011.

STATUS OF CASES HEARD BY PLANNING COMMISSION IN 2021

PC 2021-01 RAGA Properties PD Amendment Logan Villas Senior Housing

Under Construction

PC 2021-02 Cloud 9 Fuel Station CUP 67th & Raytown Road

Moving Forward with Survey, Engineering Work

PC 2021-03 Artez Ware Tattoo Parlor CUP 7600 Raytown Road

Open and Operating

PC 2021-04 Utopia Gardens Preliminary Plat 85th Place and Lane

Final Plat Under Consideration

PC 2021-05 ARS Drug Treatment Facility 11900 Jessica Lane

Under Construction

PC 2021-06 Rescind Auto Sales CUP Recon Auto 7609 Raytown Road

Vote to Rescind Failed

PC 2021-07 Choudhry Auto Repair CUP 8838 E. 350 Hwy.

Open and Operating

PC 2021-08 THC, LLC, U-Haul Rental 6731 Blue Ridge Blvd.

Working on Extension to Parking Lot Paving due to Winter Weather

PC 2021-09 James McCray Group Home CUP 6209 Blue Ridge Cutoff

Application Withdrawn

PC 2021-10 KC RV's Vehicle Sales CUP 11900 E. 350 Hwy.

Open and Operating

PC 2022-01 Glass America Vehicle Repair Limited CUP 9050 E. 350 Hwy.

Open and Operating