

**CITY OF RAYTOWN
PLANNING & ZONING COMMISSION**

AGENDA

**February 7, 2019
7:00 pm**

**Raytown City Hall
Board of Aldermen Chambers
10000 East 59th Street
Raytown, Missouri 64133**

1. Welcome by Chairperson

2. Call meeting to order and Roll Call

Wilson:	Meyers:	Emerson:
Bettis:	Robinson:	Frazier:
Stock:	Dwight:	Cochran:

3. Approval of January 3, 2019 Meeting Minutes

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

4. Old Business – None

A. Case No.: PZ-2018-11

Applicant: Greg Stervinou

Reason: Requesting to rezone the parcel at 10009 E 59th Street from NC to R-1

- 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. Updated Staff Report
 - b. Email Correspondence
- 4. Introduction of Application by Staff
- 5. Presentation of Application by Applicant
- 6. Additional Staff Comments and Recommendation
- 7. Board Discussion
- 8. Board Decision to Approve, Conditionally Approve or Deny the Application

- a. Motion
- b. Second
- c. Additional Board Discussion
- d. Vote

5. New Business

B. Case No.: PZ-2019-01

Applicant: Todd Fischer

Reason: Requesting Final Site Plan approval for Somerset Village Apartments

- 9. Introduction of Application by Chair
- 10. Explanation of any exparte' communication from Commission members regarding the application
- 11. Enter Additional Relevant City Exhibits into the Record:
 - c. Staff report
 - d. Final Site Plan Application
 - e. Application Supporting Documents
 - f. Final Site Plan Permit and Receipt
 - g. Notice of Public Hearing
 - h. Final Site Plan Comment Review Letter
 - i. Applicant Response Letter
 - j. Neighborhood meeting invite and sign-in sheet
 - k. Applicant's site plan and supporting plan documents
- 12. Introduction of Application by Staff
- 13. Presentation of Application by Applicant
- 14. Additional Staff Comments and Recommendation
- 15. Board Discussion
- 16. Board Decision to Approve, Conditionally Approve or Deny the Application
 - a. Motion
 - b. Second
 - c. Additional Board Discussion
 - d. Vote

6. Other Business- None

8. Set Future Meeting Date - Thursday, March 7, 2019 at 7:00 PM

9. Adjourn

CITY OF RAYTOWN
PLANNING & ZONING COMMISSION
MINUTES

January 3, 2018
7:00 pm

Raytown City Hall
Board of Aldermen Chambers
10000 East 59th Street
Raytown, Missouri 64133

1. Welcome by Chairperson

2. Call meeting to order and Roll Call

Wilson:	Absent	Meyers:	Present	Emerson:	Present
Bettis:	Present	Robinson:	Present	Frazier:	Present
Stock:	Present	Dwight:	Absent	Cochran:	Present

3. Approval of October 4, 2018 Meeting Minutes

- a) Revisions – Mrs. Stock and Mrs. Emerson both found several minor errors and submitted them to Community Development Director, Ray Haydaripoor for revisions after conclusion of tonight’s meeting.
- b) Motion to approve – Mrs. Stock recommends approval of these changes
- c) Second – Mr. Frazier
- d) Additional Board Discussion – N/A
- e) Vote – Approve (7-0)

4. Old Business - None

5. New Business

A. Case No.: PZ-2018-11

Applicant: Greg Stervinou

Reason: Requesting the rezoning of property at 10009 E 59th Street to R-1

1. Introduction of Application by Chair (Stock)

2. Explanation of any exparte’ communication from Commission members regarding the application

Mr. Meyers says he has had some communication with the applicant but it will not affect the hearing

3. Enter Additional Relevant City Exhibits into the Record:

- a. Staff report
- b. Rezoning Application
- c. Deed to property

- d. Jackson County paid tax receipt
- e. Notice of Public Hearing
- f. Site Plan Comment Review Letter
- g. Applicant Response Letter
- h. Neighborhood meeting invite and sign-in sheet
- i. Property's sewer as-built
- j. 1988 topographical map
- k. Excerpt of Raytown's Comprehensive Plan
- l. Applicant's site plan and supporting plan documents

4. Introduction of Application by Staff

Mr. Haydaripoor introduces the case to the commission. The applicant is proposing to rezone the parcel of land at 10009 E 59th St. from NC (Neighborhood Commercial) to R-1 (Low Density Residential). The applicant wishes to construct a single-family residential on the lot if the rezoning is approved. The lot has been vacant for several years and the existing surrounding land uses are other single-family homes. The parcel is also within the Central Business District (CBD) which requires additional design guidelines.

5. Presentation of Application by Applicant

Jennifer Baird, City Attorney, swears applicant, Greg Stervinou in to the public hearing.

Mr. Stervinou introduces the proposed rezoning and construction. Mr. Stervinou explains how he saw the lot for sale. He is now under contract with the seller with the stipulation being that he is able to construct a single-family home on the lot. He only has one concern with the conditions as outlined in the staff report: #2 – the property must follow CBD construction design guidelines.

Mrs. Stock asked Mr. Stervinou if staff gave him a copy of the CBD design guidelines.

Mr. Stervinou confirms he received the guidelines but did not understand a lot of them.

Mrs. Cochran asked Mr. Stervinou if the proposed single-family home would be for rent or for sale.

Mr. Stervinou says the intent is to sell the home but if he needed to, he would entertain the idea of renting it short-term.

6. Additional Staff Comments and Recommendation

Mr. Haydaripoor displays three slides for the commissioners. One shows an aerial view of the vacant parcel. The next shows the parcel with its immediate surroundings and their zoning classifications. The final slide shows the parcel's location within the Central Business District boundaries.

Mr. Haydaripoor goes through the factors to be considered section of the staff report. He explains how the lots surrounding 10009 E 59th Street have a mix of different land uses and zoning classifications. Mr. Haydaripoor explains that through Public Works' sewer as-built records, staff was able to determine that the property in question was last occupied in the late 1980's as a single-family home. The sewer connection was disconnected for an unknown reason in 1989. Staff found no detrimental effects to nearby properties if the rezoning is approved. The only negative aspect

would be the presence of spot zoning. Due to the fact that the land uses surrounding the lot are already legally-nonconforming, this is not especially an issue.

Because the property was once developed, all necessary utilities and public services are available on the site and capable of serving the proposed use. Mr. Haydaripoor explains how Raytown's Future Land Use Map as part of the Comprehensive Plan identifies the subject property as an area for downtown district use. These areas should be actively developed as mixed-use districts of primarily medium to high-density housing. The plan also states that single-family homes should be limited or not allowed. Haydaripoor states that staff would not consider the proposed single-family home as a detriment to the downtown district.

Mr. Haydaripoor goes over staff's recommendation and conditions with the commissioners.

7. Board Discussion

Mrs. Emerson asks Mr. Haydaripoor when the house that used to be on the lot was demolished. Mr. Haydaripoor responds by saying that while the exact demolition date or year is unclear, the sewer was disconnected in 1989.

Mrs. Baird swears Amy Thiede in to the public hearing.

Mrs. Thiede states that through her research, she has found that the house was torn down in 1975 and has been vacant ever since.

Mrs. Emerson asks if the house can still be built without the property being rezoned.

Mrs. Baird states that per city zoning section, the only option is to rezone the property. She does not see how the city can approve the construction of the home due to the fact that single-family homes are not permitted in the zoning district.

Mrs. Emerson confirms that even though only single-family homes exist around the proposed lot.

Mrs. Baird explains that these are legal nonconforming uses and will be allowed until the use is destroyed or changes.

Mrs. Stock feels uncomfortable approving the construction of the home without rezoning, even though it would be spot zoning.

Mrs. Baird states that she believes the applicant's best option would be to have the case heard at the Board of Zoning Adjustment.

Mr. Bettis and Mr. Meyers question if the applicant can build the single-family home on the lot without rezoning.

Mr. Haydaripoor states that the applicant would not issue a permit for a single-family home without rezoning.

Mr. Meyers confirms that if one of the legally nonconforming single-family homes were to burn down, they would face similar obstacles as tonight's applicant. Mr. Haydaripoor agrees.

Mr. Meyers brings up the point that much of Raytown has zoning situations similar to this because of the age of the community. He says that the commission sees many spot zoning requests.

Mrs. Emerson asks if the commission decides to approve the rezoning, it would go with the four conditions listed.

Mr. Haydaripoor announces that he has two additional conditions that he needs to add: 1) The applicant submit five copies of 24-inch x 36-inch engineered site plans for review and 2) The site plans are approved.

Mr. Bettis asks what is involved in the site plan to be approved.

Mr. Haydaripoor says there are certain checklists of items that need to be followed for site plans (setbacks, right of ways, building size, etc.)

Mr. Frazier asks about what requirements the applicant would need to meet regarding the CBD standards. He also has a concern with a two-story home next to mainly one-story homes.

Mr. Haydaripoor says that the CBD consists of landscape, materiality, colors, roof pitch and size and other regulations.

Mrs. Stock mentions that one change that Mr. Stervinou could make would be to move the house up further in the lot.

Mr. Stervinou says that he will use setbacks that are in line with the houses on either side of the existing property and would use the existing approach and sidewalk. He says he would repair the sidewalk, if need be. Stervinou says that he has landscaping plan already and that the materials will be the same as the homes he has previously built behind the Dollar General on 63rd Street. Mr. Stervinou feels that he has had to jump through enough hoops as it is and if more restrictions or guidelines are imposed on him, he is not sure if he would be interested. The proposed home is split entry and therefore not two-stories.

Mrs. Stock says that she does not remember the exact guidelines for the CBD. She knows that lighting is even included.

Mrs. Thiede states that she is more familiar with the CBD design guidelines than she would like to be and that they are very "painful". She asks the commissioners to seriously consider the application because she is currently unable to sell the property because no one wants to develop the land as a commercial business. Mrs. Thiede states that people who go into City Hall to discuss a business on the property, they have been told that the use would not be approved outright. She is frustrated that the CBD guidelines do not address single-family residential uses.

Mr. Haydaripoor states that since he has been the Director of Community Development, there has not been anybody who has approached staff about the lot. Standard practice is to sit down with the prospective builder and discuss all options.

Mrs. Stock states that she would advise that the case be tabled for a month to give Mr. Stervinou and staff the opportunity to go through the CBD guidelines together and figure out what items have been met, what items need to be met and what items might be waived. Mr. Haydaripoor is supportive of the recommendation.

Mrs. Cochran asks if there are any other R-1 lots in the CBD. Mr. Haydaripoor states that if this lot is rezoned to R-1, it would be the only lot within the CBD boundaries that is zoned R-1.

Mrs. Cochran asks if it might be the case that the CBD guidelines don't reference R-1 lots because of this. Mr. Haydaripoor states that this very well may be the case.

Mr. Stervinou states that the CBD does not address R-1 lots. He says he is not interested in sitting down with staff. He just wants to know what he needs to do and what is required. He asks that the rezoning be approved conditionally tonight given these changes be made.

Mr. Frazier asks if the driveway is going down grade into the house. Mr. Frazier says that it is flat.

Mr. Bettis states his only concern is that if the rezoning goes through and construction does not occur, there would be a vacant R-1 lot and we would be in the same situation.

Mr. Stervinou asks when the next meeting is. Mr. Haydaripoor states it would be the first week of February.

Mr. Meyers states that it would not be the first time the commission would grant waivers to CBD standards. Mr. Meyers says that he believes Mr. Stervinou is quite serious about the project. He states that he wants the city to be known for treating applicants in a fair manner. Mr. Meyers tells Mrs. Thiede that this is her best chance to sell the lot. He is confident that the applicant, commission and staff can work together to get the project worked out.

8. Board Decision to Approve, Conditionally Approve or Deny the Application

- a. Motion – Mrs. Stock motions to table PZ Case 2018-11 to the February 7th 2019 Planning and Zoning Commission at 7:00 PM.
- b. Second – Mrs. Cochran
- c. Additional Board Discussion – N/A
- d. Vote – Yes (7-0)

6. Other Business- None

8. Set Future Meeting Date - Thursday, February 7, 2019 at 7:00 PM

9. Adjourn



Staff Report

Community Development
Planning and Development Services

PZ 2018-11

To: City of Raytown Planning and Zoning Commission
From: Ray Haydaripoor, Community Development Director
Date: February 7, 2019
Re: Application for District Rezoning

PLAT APPLICATION SUMMARY

Applicant: Greg Stervinou
Project Contact: Greg Stervinou
Property Location: 10009 E 59th Street
Request: Rezoning from Neighborhood Commercial (NC) to Low-Density Residential (R-1)

BACKGROUND INFORMATION:

Greg Stervinou, on behalf of property owner Amy E. Thiede, is requesting to rezone the lot located at 10009 E 59th Street from Neighborhood Commercial (NC) to Low-Density Residential (R-1). The applicant is requesting the rezoning to allow for a 1,000 square foot single-family residential home to be constructed on the lot. This use would not be permitted on a NC lot, but would be allowed on an R-1 lot.

The lot currently sits vacant and has been for the past several decades. In 2015/2016, property owner Amy Thiede and her business, A Tru Path Counseling, proposed an approximately 200 sq. ft. counseling office on the lot. After site plan review and a hearing with the Planning and Zoning Commission in April of 2016, the site plan and building permits were approved by the end of the year. Work never began on the approved structure and the site has continued to sit vacant ever since.

It should be noted that like the lot in question (highlighted in green, below), its surrounding lots are zoned Neighborhood Commercial. Unlike the lot in question, these lots have structures on them that have been around for decades. Most of the structures in this area are single-family homes, which is what the applicant is hoping to build on the lot if this rezoning case is approved.

It should also be noted that this property is within the Central Business District (CBD), which means it will have to follow additional design elements that are intended to provide parameters for the physical appearance and development for the city's Central Business District.





Staff Report

Community Development
Planning and Development Services

REZONING APPLICATION FACTORS TO BE CONSIDERED

When considering a rezoning request the following criteria should be considered in order to determine whether the application should be approved or denied.

1. CHARACTER OF THE NEIGHBORHOOD

The character of the neighborhood is a mix of uses: single family dwellings exist to the immediate North, East, South and West of the property. There is also a daycare facility just to the East of the proposed lot. Across 59th Street sits Raytown City Hall and some other industrial uses.

2. 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:	NC	Single family homes
North:	R-1 and M	Single family homes, Industrial and Office
East:	NC	Single family homes, daycare facility, church, commercial businesses
West:	R-1 and R-3	Single family homes

Note: Some of the existing land uses are currently legally nonconforming (i.e. single family homes located in a NC zone, East of the property).

3. SUITABILITY OF ZONING FOR CURRENT USE

The property has been sitting vacant for the past several decades. According to Public Works' sewer as-built records, the sewer connection at the property was connected in July of 1963 and disconnected (for an unknown reason) in August of 1989. Another Public Works map, from February of 1988 shows what appears to be a single-family home located on the property. According to historic zoning maps, the property has been zoned as "Neighborhood Commercial" for the past several decades (through the late 1990's). Prior to that, the property was zoned as "Office Commercial" as recently as 1985.

4. DETRIMENTAL EFFECTS TO NEARBY PROPERTIES IF REZONING IS APPROVED.

There are no apparent detrimental effects that could occur to nearby properties if this rezoning case is approved. The only negative aspect to this proposed rezoning would be that it would be considered spot zoning. Spot zoning is when a larger area of land zoned a specific way is interrupted by a single parcel of land of a differing zoning classification. Rezoning this lot to R-1 in an area with mostly NC zoned properties would be considered spot zoning.

However, due to the fact that the properties surrounding the lot in question are already legally nonconforming, single-family homes, it is unlikely for this to have an effect on the area. It would take the destruction of the existing homes and the development of NC-



Staff Report

Community Development
Planning and Development Services

approved land uses on the lots for the proposed R-1 lot and resulting home to feel out-of-place in the area.

5. LENGTH OF TIME OF VACANCY.

The lot has sat vacant since the late 1980s.

6. CONSIDERATION OF PUBLIC INTEREST.

1. Public Health: The proposed use should not have any noticeable effect on public health. Utilities are available to this site from when the previous development in the 80s. In-place sanitary sewer systems will be able to accommodate the proposed use.
2. Public Safety: The proposed use should not have any noticeable effect on public safety. Pedestrian and vehicular traffic will likely not be affected at all with the proposed development. The existing sidewalk along 59th Street, as well as the proposed garage and driveway to the house will handle any new traffic or additional parking.
3. Public Welfare: The proposed use should not have any noticeable effect on public welfare.

7. IMPACTS ON PUBLIC SERVICES AND UTILITIES.

Because the property was once developed, and surrounding property is developed, all necessary utilities and public services are available and capable of serving the proposed use.

8. CONFORMANCE WITH THE COMPREHENSIVE PLAN.

The Future Land Use Map in the Raytown Comprehensive Plan Update adopted in 2002 identifies subject property as an area for downtown district use. The plan states that the downtown area should be actively developed as a mixed-use district of primarily medium to high-density housing, locally owned commercial and specialty retail. The plan also states that "Industries and single-family homes should be limited or not allowed." It would be considered by City Staff that the proposed single-family home at 10009 E 59th Street would not be a detriment to the downtown district.



Staff Report

Community Development
Planning and Development Services

Staff Recommendation/Comments:

Per the results of the January 3rd, 2019 Planning and Zoning Commission meeting, applicant, Greg Stervinou was to work with staff to see which Central Business District Design Elements he would be required and willing to meet.

Email Correspondence

January 12 – Mr. Stervinou requested a copy of the Central Business District Design Elements from staff

January 16 – Staff sent Mr. Stervinou a copy of the Central Business District Design Elements

January 25 – After not hearing from Mr. Stervinou in over a week, Staff reached out to see if they could be of any assistance. Mr. Stervinou replied saying that he is “no longer going to pursue my application for rezoning.”

January 30 – Mr. Ray Haydaripoor reached out to Mr. Stervinou once more, providing a simplified outline of the Central Business District Design Elements that the property would need to follow. Mr. Haydaripoor requested a response that same day in order to prepare for the February 7th Planning and Zoning Commission meeting. Mr. Stervinou did not respond.

These emails are attached to this Staff Report.

Jared Islas

From: Greg Stervinou <gstervinou@yahoo.com>
Sent: Saturday, January 12, 2019 12:50 PM
To: Ray Haydaripoor; Jared Islas
Subject: Staff report requirements for rezoning 10009 E 59th

Follow Up Flag: Follow up
Flag Status: Completed

As discussed at the P & Z meeting on January 3rd you were going to send me requirements that I would have to follow for approval as it related to requirement # 2 in the staff report. Please send me the requirements for the R-1 designation as it related to the CBD construction Design Guidelines.

Thanks

Greg Stervinou , P.E.

Jared Islas

From: Jared Islas
Sent: Wednesday, January 16, 2019 8:59 AM
To: 'Greg Stervinou'
Cc: Ray Haydaripoor
Subject: CBD Design Standards
Attachments: Sec. 50-399. Residential Site Design Standards.pdf; Sec. 50-400. Residential Building Design Standards.pdf

Greg,

Ray meant to send these to you yesterday and is actually out of the office today, so he has asked me to send them to you:

Please see the attached design standards for residential properties in the CBD. Please let us know if you have any further questions or concerns.

Thank you,

Jared Islas
Community Development Intern
City of Raytown
10000 E. 59th Street
Raytown, MO 64133
816.737.6059
jaredi@raytown.mo.us

Jared Islas

From: Jared Islas
Sent: Friday, January 25, 2019 8:19 AM
To: 'Greg Stervinou'
Cc: Ray Haydaripoor
Subject: RE: CBD Design Standards

Good Morning,

We sent you a copy of the CBD Design Standards last Wednesday, January 16th. We're available to answer any questions or concerns should there be any.

Thanks,

Jared Islas

Community Development Intern
City of Raytown
10000 E. 59th Street
Raytown, MO 64133
816.737.6059
jaredi@raytown.mo.us

My office hours are M/W/F 9:00 AM – 1:00 PM.
For immediate assistance, contact Ray Haydaripoor, 816-737-6093 or rayh@raytown.mo.us.

From: Jared Islas
Sent: Wednesday, January 16, 2019 8:59 AM
To: 'Greg Stervinou'
Cc: Ray Haydaripoor
Subject: CBD Design Standards

Greg,

Ray meant to send these to you yesterday and is actually out of the office today, so he has asked me to send them to you:

Please see the attached design standards for residential properties in the CBD. Please let us know if you have any further questions or concerns.

Thank you,

Jared Islas

Community Development Intern
City of Raytown
10000 E. 59th Street
Raytown, MO 64133
816.737.6059
jaredi@raytown.mo.us

Jared Islas

From: Ray Haydaripoor
Sent: Wednesday, January 30, 2019 11:01 AM
To: Greg Stervinou
Cc: Jared Islas; Jennifer Baird
Subject: RE: CBD Design Standards
Attachments: CBD Design Guidelines for Residential Development - Case PZ-2018-11
1-25-19.docx

Greg: I understand you are withdrawing the rezoning application, but attached is the CBD Design Guidelines for Residential Development for your review and let me know if you have any questions. As a reminder, you always can ask either the Planning and Zoning Commission or Board of Aldermen that the CBD Design Guidelines to be waived. If you choose to move forward with the application, I need to have an answer today please; we are preparing the staff report and the packet as we speak.

Thanks,

Ray Haydaripoor, CICC, CPM
DIRECTOR
COMMUNITY DEVELOPMENT DEPARTMENT
City of Raytown, MO
10000 E. 59th Street
Raytown, MO 64133
816-737-6093 Office
816-737-6164 Fax
rayh@raytown.mo.us

From: Jared Islas <jaredi@raytown.mo.us>
Sent: Friday, January 25, 2019 9:19 AM
To: Ray Haydaripoor <rayh@raytown.mo.us>
Subject: FW: CBD Design Standards

Jared Islas
Community Development Intern
City of Raytown
10000 E. 59th Street
Raytown, MO 64133
816.737.6059
jaredi@raytown.mo.us

My office hours are M/W/F 9:00 AM – 1:00 PM.
For immediate assistance, contact Ray Haydaripoor, 816-737-6093 or rayh@raytown.mo.us.

From: Greg Stervinou [<mailto:gstervinou@yahoo.com>]
Sent: Friday, January 25, 2019 9:17 AM
To: Jared Islas
Subject: Re: CBD Design Standards

I am no longer going to pursue my application for rezoning. The process is too cumbersome and my investment in real-estate can be better utilized elsewhere.

Thank you for your efforts.

Yours Truly

Greg Stervinou, P.E.

On Friday, January 25, 2019 08:20:16 AM CST, Jared Islas <jaredi@raytown.mo.us> wrote:

Good Morning,

We sent you a copy of the CBD Design Standards last Wednesday, January 16th. We're available to answer any questions or concerns should there be any.

Thanks,

Jared Islas

Community Development Intern

City of Raytown

10000 E. 59th Street

Raytown, MO 64133

816.737.6059

jaredi@raytown.mo.us

My office hours are M/W/F 9:00 AM – 1:00 PM.

For immediate assistance, contact Ray Haydaripoor, 816-737-6093 or rayh@raytown.mo.us.

From: Jared Islas
Sent: Wednesday, January 16, 2019 8:59 AM
To: 'Greg Stervinou'
Cc: Ray Haydaripoor
Subject: CBD Design Standards

Greg,

Ray meant to send these to you yesterday and is actually out of the office today, so he has asked me to send them to you:

Please see the attached design standards for residential properties in the CBD. Please let us know if you have any further questions or concerns.

Thank you,

Jared Islas

Community Development Intern

City of Raytown

10000 E. 59th Street

Raytown, MO 64133

816.737.6059

jaredi@raytown.mo.us



Staff Report

Community Development
Planning and Development Services

PZ 2019-01

To: City of Raytown Planning and Zoning Commission
From: Ray Haydaripoor, Community Development Director
Date: February 7, 2019
Re: Application for Site Plan

PLAT APPLICATION SUMMARY

Applicant: Todd Fischer, Fischer CM
Project Contact: Somerset Village Apt.
Property Location: 9811 E 60th St
Request: For approval of a Final Site Plan

SITE DATA

WILSON VIEW---LOTS 8-19 & TH PT NE 1/4 NE 1/4 SEC 05-48-32 DAF: BEG MOST SW COR LOT 12 WILSON VIEW TH W 50' TO ELY RR ROW LI TH NLY ALG SD ELY RR LI 244' TH E 50' TO W LI WILSON VIEW TH SLY ALG W LI LOTS 11 & 12 SD WILSON VIEW TO POB (BEING PT OF FORMER RR ROW)

Land Use Data	
Surrounding Zoning	R-3
Surrounding Overlay	Central Business District
Surrounding Land Use	Residential
Designated Future Land Use	Multi - Family Residential
Ward(s)	Ward 1
Approximate Land Area	3.5 acres

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:	NC	Neighborhood Commercial
North:	R-3	Single family homes
East:	NC	Neighborhood Commercial
West:	N	Conservation

Background Information:

Todd Fischer, on behalf of KM-TEH Realty owners of the property located at 9811 E 60th Street is requesting approval of site plan in order to replace the building that burnt down.



Exhibit 1

Final site plan approval is being requested in order to reconstruct the building that burned down in 2016. The building that was destroyed contained 11 dwelling units and the proposed replacement building also contains 11 dwelling units. Somerset Village is a complex of 13 buildings located on E 60th Street just west of Raytown Road. (Exhibit 1) The building at 9811 E. 60th Street (Exhibit 2) was destroyed in a fire in February 2016.



Exhibit 2

The City does not have records available that specify when the building was built, but sewer connection records indicate it was built in 1965 along with two other buildings at the end of the cul-de-sac (Exhibit 3).



Exhibit 3

The rest of the complex was probably built in the early to mid-seventies. (Exhibit 4)

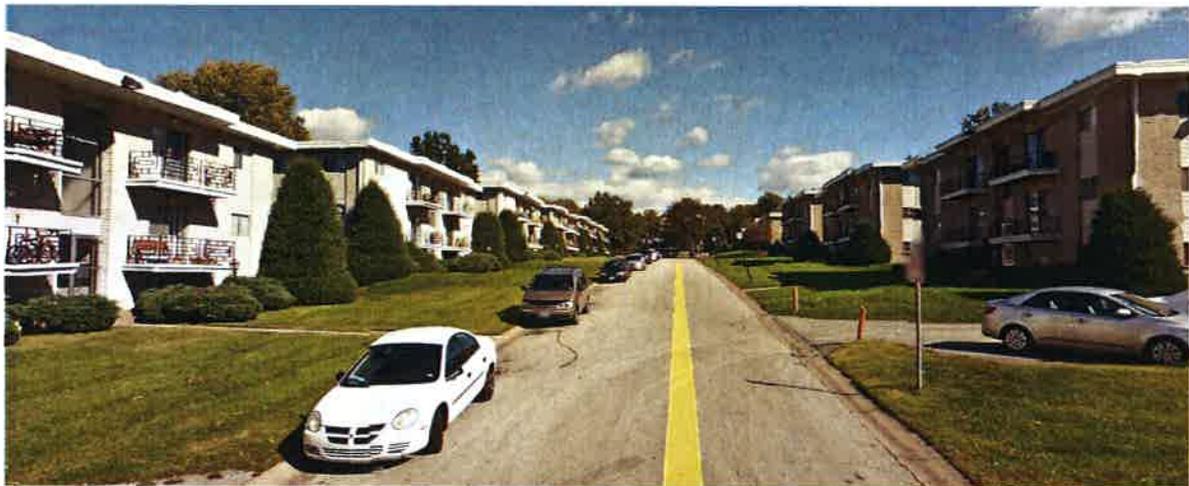


Exhibit 4

The building that was destroyed by fire was built at a time when the zoning regulations were different than they are now and therefore it was a nonconforming structure when it was destroyed. Sec. 50-454 (a) states that any structure destroyed by 50% or more or its appraised value shall comply with the current zoning regulations.

In 2003 the City adopted the Central Business Design Elements which is an overlay zone and the new building is subject to its regulations. Under this overlay zone the applicant is required to submit a final site plan for a recommendation of approval, conditional approval, or denial from the Planning Commission and the Board of Alderman may approve, conditionally approve or deny the final site plan. If the Board of Alderman approves the final site plan, it shall adopt an ordinance to that affect.

As part of the preliminary site plan process, the proposed building requested several design alternatives to the CBD Design Element standards. These include changes to requirements regarding the bulk of the building, upper level step-backs and roof style.

CENTRAL BUSINESS (CBD) DESIGN ELEMENTS

The purpose and intent of the CBD Design Elements taken from the Zoning Ordinance are as follows:

Design goals. The purpose of the CBD Design Elements is to enhance and create a traditional downtown core that forms a commercial and cultural center for the city by emphasizing appropriate and complimentary architectural, landscape and site design standards for new and redeveloped properties that:

- (1) Focus on building and landscaping.
 - a. Buildings and vegetation should be the predominant elements of the downtown area.
 - b. Signage and parking facilities should be less prominent.
- (2) Promote pedestrian activity and walkability throughout the Central Business District while also providing pedestrian connections with surrounding neighborhoods.
- (3) Create appropriate building scale and proportion throughout the Central Business District.
- (4) Create a unique identity as development and redevelopment occur within the Central Business District incorporating visually prominent and attractive features through building design and site design that individually and cumulatively create an appealing and attractive area.
- (5) Allow easy access to and from the area via multiple modes of transportation such as pedestrian, bicycle, public transportation and personal vehicle.

Also:

New development. All of the provisions of the CBD Design Elements shall be applicable to the construction of a new building or structure on a vacant site. The CBD Design Elements are set out in two sections as follows: Sec.50-399 Residential Site Design Standards and Sec. 50-400 Residential Building Design Standards. The Staff Report will address each of these standards and will note when the standards are not met and when an alternative will need to be approved.

Residential Site Design Standards

It should be pointed out that this building is one of a complex of 13 buildings and the design of the replacement building mirrors those of the existing buildings and attempts to reflect that design while trying to meet some of the CBD Design Elements. The following are design elements for residential development and redevelopment.

- (1) Front yard treatment.
 - a. Intent: To provide a feeling of separation between buildings and the public pedestrian realm so that front yards function as usable outdoor spaces.
 - b. Standards:
 1. Required:
 - (i) In new development and redevelopment front yards, including two side property lines and the street lines, shall include at least two of the following transitional elements. Any transitional element over two feet high must be 80 percent transparent.
 - A. Steps;
 - B. Low fences, no more than three feet high;
 - C. Trellises;
 - D. Site furnishings;
 - E. Low hedges, no more than three feet high;
 - F. Landscaped borders; and/or
 - G. Low walls, no more than two feet high, of decorative concrete, masonry or other similar material.

- (ii) Front yards shall include at least one of the following entrance elements between the sidewalk and the building:
 - A. Gateways;
 - B. Archways;
 - C. Canopy;
 - D. Arbor or trellis;
 - E. Variety of paving materials; or
 - F. Pedestrian lighting;
- (iii) Fencing shall be constructed of durable, weather-resistant and vandal resistant materials.

Staff Comments: The proposed design meets the required standards.

(2) Entries facing the street.

- a. Intent: To provide a clearly defined, welcoming, and safe entry for pedestrians to multifamily dwellings, from the sidewalk into the building.
- b. Standards:
 - 1. Required:
 - (i) Architectural elements shall be used to provide a clearly identifiable and defensible entry visible from the street.
 - (ii) Developments shall include at least two of the following architectural elements:
 - A. Recesses;
 - B. Balconies;
 - C. Articulated roof forms;
 - D. Front porches with a depth of at least eight feet;
 - E. Arches; and/or
 - F. Glass at sides and/or above entry doors.
 - (iii) Developments shall include at least one of the following site furnishings:
 - A. Trellis;
 - B. Awning
 - C. Canopy; or
 - D. Bench with a back
 - (iv) Pedestrian scale lighting and/or lighted bollards shall be provided.
 - (v) Primary building entries shall face the street. If the doorway does not face the street, a clearly marked and well-maintained path shall connect the entry to the sidewalk.

Staff Comments: The proposed building meets the required standards.

(3) Private outdoor space.

- a. Intent: To provide private outdoor spaces that encourages a sense of ownership by residents.
- b. Standards:
 - 1. Required: Apply defensible space and clear entryway principles for multi-family dwellings.

Defensible entry is an industry-specific term that addresses the ability of a person to anticipate a path of travel, its obstruction, and points of vulnerability before moving through the space.

Staff Comments: The proposed building meets the required standard.

Staff Comments: The proposed building meets the required standards.

(4) Site landscape areas.

- a. Intent: To reinforce the character of the downtown area and the surrounding natural environment through site landscaping.
- b. Standards:
 - 1. Required:
 - (i) All areas not devoted to landscape required by these CBD Design Elements, this chapter, parking regulations, structures or other site improvements shall be planted, or remain in existing native, non-invasive vegetation including drought-tolerant grass.
 - (ii) A minimum 20 percent of plant varieties shall provide year-round color, texture and/or other special interest.

Staff Comments: A landscape plan sheet was submitted with the rest of the plan therefore the proposed design project has met this standard.

(5) Location of parking facilities.

- a. Intent: To maintain a contiguous, active pedestrian street front along streets by locating parking facilities behind buildings.
- b. Standards:
 - 1. Required:
 - (i) Garages and covered parking structures shall be constructed of similar materials and have similar architectural character as the principle building(s) on the property.
 - (ii) New development and redevelopment. Parking facilities shall be located behind buildings. The board of alderman as part of the preliminary site plan may approve an alternative to this design standard.
 - (iii) Where an alternative to this design standard is approved and parking facilities are allowed to remain in front of or beside buildings, parking facilities shall provide a ten-foot wide planting areas between the parking lot and street right-of-way to include:
 - A. A year-round sight barrier;
 - B. Evergreen shrubs;
 - C. Evergreen ground cover; and
 - D. Shrub material maintained at a maximum height of three feet for visibility.
 - (iv) All parking facilities (new development and redevelopment) shall comply with the parking lot standards set forth in this chapter including, but not limited to interior landscape areas, wheel stops, plant material requirements, and number of stalls.
 - (v) The board of aldermen by ordinance must approve any gated parking facilities or gated portions as part of a preliminary site plan.

Staff Comments: The applicant has made considerable effort to increase parking spaces from what currently exists. Even though this is an improvement, but the proposed design, does not meet the requirement as stated in item (iii) above. Staff has no objection to the proposed plan.

(6) Location of driveways.

- a. Intent: To maintain a contiguous, uninterrupted sidewalk by minimizing, consolidating and/or eliminating driveway access off primary pedestrian streets.
- b. Standards:
 - 1. Required:

- (i) All vehicular driveways shall be located off side streets and alleys unless:
 - A. The only means of access to the site is from a primary pedestrian street;
 - B. The development is located at the corner of two primary pedestrian streets;
 - C. The driveway is consolidated (shared) between adjacent developments; or
 - D. The property cannot otherwise be accessed from a side street, alley or shared drive.
- (ii) Where a driveway is allowed on primary pedestrian streets, driveway entrances shall:
 - A. Include an identifying feature, such as a trellis, monument, low wall/column or special landscape treatment; and
 - B. Sidewalk-paving materials/treatment shall be extended across the driveway entrance.
- (iii) Adjacent developments shall consolidate (share) vehicular driveways where feasible regardless of the type of street on which the driveway is located.
- (iv) Apply defensible space and clear entryway principles for pedestrian access from driveways and parking areas to the development.
- (v) If used for identifying features in subsection (6)b.1(ii)A of this section, the combination of walls and shrubs/ground cover shall not exceed a maximum height of four feet, unless all of the following are provided:
 - A. Wall/landscape treatment does not create a safety hazard;
 - B. Any portion of a wall/landscape treatment that is above four feet in height is a minimum 75 percent transparent (i.e., see-through metal railing, trellis, or other similar treatment); and
 - C. Any portion of a wall/landscape treatment that is above four feet in height provides added visual interest, detail and character.

Staff Comments: The applicant is proposing reconstruction of existing driveway on the west side of the building. When the project is completely built, the temporary fencing will be removed and the driveway on the west side of the building will be reopened.

- (7) Parking lot landscape.
 - a. Intent: To reduce the visual impact of parking lots through landscape areas, trellises and/or other architectural features.
 - b. Standards:
 - 1. Required:
 - (i) Parking lot landscape shall be used to reinforce pedestrian and vehicular circulation such as:
 - A. Parking lot entrances;
 - B. Ends of driving aisles; and
 - C. To define pedestrian connections through parking lots.
 - (ii) Low walls (minimum three-foot high) used to screen parking lots shall be made of decorative concrete, masonry or other similar material. Where walls and/or fences are provided, landscape-planting areas may be reduced to a minimum five feet and shall be located adjacent to the public right-of-way.
 - (iii) The combination of walls, fences and shrubs/ground cover shall not exceed a maximum height of four feet, unless all of the following are provided:
 - A. Wall/fence/landscape treatment does not create a safety hazard;

- B. Portion of wall/fence/landscape treatment that is above four feet in height is a minimum 75 percent transparent (i.e., see-through metal railing, trellis, or other similar treatment); and
 - C. Portion of wall/fence/landscape treatment that is above four feet in height provides added visual interest, detail and character suitable to the nature of the downtown area.
- (iv) For any wall or fence above six feet total height, the entire wall/fence façade shall comply with the building design standards set forth in the CBD Design Elements for ground level details, materials, color, etc.
 - (v) A minimum five-foot wide landscape planting area shall be provided between parking lots and adjacent developments to include a year-round sight barrier and meeting the requirements for parking lot landscape proved in this chapter.

Staff Comments: A new parking area is being proposed, the submitted landscape plan meets the required standard.

(8) Parking facility lighting.

- a. Intent: To provide way-finding lighting to define pedestrian areas and promote public safety.
- b. Standards:
 - 1. Required:
 - (i) Lighting located within parking facilities shall be between 15 and 20 feet in height except where the lighting is intended to be used for pedestrian purposes as indicated in subsection (8) b.2(i) of this section.
 - (ii) In addition to parking facility lighting, pedestrian scale lighting shall be a maximum 14 feet in height.
 - (iii) Pedestrian scale lighting and/or bollard lighting shall be used to further define pedestrian walkways, crosswalks, connections to public right-of-way and/or other pedestrian areas within or besides parking facilities.
 - (iv) All lighting (parking lot and pedestrian scale) shall be shielded from the sky and adjacent properties and structures, either through exterior shields or through optics within the fixture. No light projection should extend higher than horizontal from the light fixture.
 - (v) All lighting (parking facility and pedestrian scale) shall reinforce the character of the downtown area and should complement other light fixtures through color, style and/or other architectural features of adjacent developments.

Staff Comments: A new parking area is being proposed with new parking layout.

(9) Courtyards, plazas and open space.

- a. Intent: To reinforce the pedestrian nature of the downtown area by creating usable open space for pedestrians.
- b. Standard:
 - 1. Required:
 - (i) Where provided, pedestrian spaces shall be visible and accessible to the public.
 - (ii) Plazas, courtyards, green spaces and other pedestrian areas shall include landscaping and pedestrian scale lighting.

Staff Comments: Open space as defined by the zoning ordinance means the lot area unoccupied by buildings, parking areas and driveways which is either landscaped or developed for recreational

use by the occupants of the premises. The required open space is 116,201 square feet and the complex provides 61,777 square feet. The proposed design does not meet the required standard, but staff has no objection to the proposed design.

Pedestrian connections.

- a. Intent: To create a network of linkages for pedestrians, including locating building entrances in closer proximity to sidewalks than in other areas of the city.
- b. Standards:
 1. Required:
 - (i) Clearly defined pedestrian connections shall be provided;
 - (ii) Between a public right-of-way and building entrances when buildings are not located directly adjacent to the sidewalk; and
 - (iii) Between parking lots and building entrances;
 - (iv) Pedestrian connections shall be separated from vehicular traffic in a combination of two or more of the following ways:
 - A. A six inch vertical curb, except where walkways cross vehicular travel lanes where sidewalk ramps are necessary;
 - B. A trellis, railing, bollard, special paving, low seat wall and/or other architectural features;
 - C. A continuous landscape area that is a minimum six feet wide on at least one side of the walkway, except where walkways cross vehicular travel lanes; and/or
 - D. Where a walkway abuts a driving aisle within a parking area, a minimum six-foot wide landscape area shall be provided between the walkway and the driving aisle.
 - (v) Where walkways abut a public right-of-way, a minimum six-foot wide landscape area shall be provided between the walkway and the public right-of-way.
 - (vi) Pedestrian connections shall be reinforced with pedestrian scale lighting (maximum 14-inch height), bollard lighting, accent lighting or a combination thereof to aid in pedestrian's way-finding.
 - (vii) Pedestrian connections that cross driveways or other vehicular or bicycle access shall be marked by using continuous sidewalk material consisting of either brick, paver bricks, stone or concrete that is stamped and colored throughout.
 - (viii) Pedestrian connections shall:
 - A. Include clear sight lines to building entrances;
 - B. Be not less than five feet wide;
 - C. Connect to adjacent walkways; and
 - D. Be of the same color, texture and treatment as adjacent walkways.
 - (ix) Landscaping shall consist of drought-tolerant plantings such as evergreens, deciduous trees and shrubs, and decorative grasses. A minimum 20 percent of varieties shall provide year-round color, texture and/or other special interest. Shrubs shall be maintained at a maximum three-foot height for visibility.

Staff Comments: There are no sidewalks on 60th Street, so it probably is not practical to require a sidewalk on this property. It should be pointed out, however, with the high density of this project the applicant should construct sidewalks on both sides of 60th Street and around the cul-de-sac as a future improvement.

Sec. 50-400. Residential Building Design Standards.

- (a) Bulk of buildings.
 - (1) Intent: To reduce the apparent bulk of buildings by breaking them down into smaller components that is visually consistent with a pedestrian scale:
 - (2) Standards; required:
 - a. Walls facing streets shall be modulated with bays and recesses at least eight feet wide and no more than 25 feet wide and at least three feet deep.
 - b. Modulation shall extend to the roof, except at balconies. The purpose is not to create a regular rigid solution but rather to break up the mass in creative ways.
- (b) Articulation and overall massing of buildings.
 - (1) Intent: To provide visual variety along the street.
 - (2) Standards:
 - a. Required:
 - 1. Buildings shall include articulation along the facades facing and visible from public rights-of-way. Flat blank walls are discouraged.
 - 2. Horizontal facades longer than 25 feet shall be articulated into smaller units, reminiscent of the residential scale of the neighborhood. At least two of the following methods shall be included:
 - (i) Distinctive roof forms;
 - (ii) Changes in materials;
 - (iii) Window patterns; and/or
 - (iv) Color differentiation
 - b. Encouraged: Additions or alterations to existing buildings with unique architectural interest should be made sensitively and in keeping with the buildings original architectural style.

Staff Comments: The proposed building is similar to the buildings that were built in the seventies rather than the original buildings that were built in the mid-sixties. The sixties buildings were flat facades with no articulation. The proposed building with the balconies and a variety of materials provide more interest than the original building.

- (c) Upper level step backs.
 - (1) Intent: To enhance views of the surrounding area and to increase sunlight penetration to the public sidewalk.
 - (2) Standards:
 - a. Required: Multi-story buildings shall include step backs a minimum of four feet deep above the second level. Step backs shall be provided at every two floors minimum.

Staff Comments: The proposed building plans does not show upper level step backs. Since this building is a part of a larger complex, providing upper level step backs would not be consistent with the rest of the complex and the applicant is requesting approval of a design alternative.

- (d) Addressing the corner.

Staff Comments: This standard is not applicable since the building is not on a corner location.

- (e) Pitched roof forms.
 - (1) Intent: To maintain and enhance the image and character of the Raytown CBD and its residential neighborhoods.
 - (2) Standards:
 - a. Required:

1. All structures shall incorporate pitched roof forms having slopes between 4:12 and 12:12, except that structures located in the town square neighborhood, may have a flat roof that shall include extended parapets and projecting cornices to create a prominent edge, when viewed against the sky from an adjoining street, parking area, public open space, or pedestrian connection.
2. Rooftop mounted equipment, vents and flues (other than chimneys) shall be screened so that they are not visible from ground level on neighboring properties.
 - (i) Rooftop mechanical equipment screens shall be required at a height that is as high or higher than the rooftop equipment being screened.
 - (ii) Screening shall be provided in a manner that is architecturally integral to the overall appearance of the building.
 - (iii) The use of parapet walls or specially designed rooftop penthouse enclosures is the preferred methods of screening for rooftop mechanical equipment.
 - (iv) Partition screens are generally less desirable for screening purposes. However, when using partition screens, the use, design, and material of the screen should blend with the building architecture and create massing hierarchy that projects the same high quality appearance as the building façade.
 - (v) The number of vents and flues shall be kept to a minimum and located in a manner to not be visible. On sloped roof structures, vents and flues shall be incorporated into architectural features or painted to blend with the roofing material.
 - (vi) The board of aldermen as part of the preliminary site plan may approve an alternative to this design standard, provided that in addition to the other criteria for approval of an alternative, the board of aldermen must also determine that one of the following exception criteria is valid.
 - A. A building is located at a higher elevation in relation to surrounding properties and it is demonstrated that rooftop equipment will not be visible.
 - B. A building is located in the middle of an industrial park and rooftop equipment is not visible from arterial roadways, residential properties, nor will it have a negative impact upon any sensitive areas or scenic views or vistas.
 - C. A building is sited in a manner where the location and setback of rooftop equipment from the building edge in relation to the elevation and visibility of surrounding properties is such that the equipment will not be visible from any distance and additional screening measures are not required.

Staff Comments: The proposed building does not have a pitched roof as required but has a flat roof similar to the other buildings in the complex. The applicant is requesting approval of the flat roof as a design alternative and it was approved in the P&Z meeting on Oct. 4 2018.

- (f) Materials/architectural details.
 - (1) Intent:
 - a. To encourage creative expression through diversity of architectural style that enlivens the street.
 - b. To ensure a standard of quality that will be easily maintained and cared for over time.
 - c. To encourage the use of materials appropriate to residential development and details that reduce the bulk of larger buildings.
 - (2) Standards:

- a. Required:
1. Facades facing a street shall be constructed of durable and maintainable materials. Materials that have texture, pattern and lend themselves to quality detailing include:
 - (i) Brick;
 - (ii) Stone;
 - (iii) Stucco (Dryvit or EIFS);
 - (iv) Marble;
 - (v) Ceramic;
 - (vi) The board of aldermen as part of the preliminary site plan may approve an alternative to this design standard.
 2. Architectural accents and projections on facades facing street and facades not facing a street may be constructed of durable and maintainable materials other than those listed in subsection (1) of this section such as:
 - (i) Wood;
 - (ii) Vinyl;
 - (iii) Masonite;

Staff Comments: The proposed building has met the required standard.

(g) Ground level details (when ground floor is commercial).

Staff Comments: This standard is not applicable to this project.

(h) Concealing structured parking.

Staff Comments: This standard is not applicable to this project.

STAFF RECOMMENDATION

The Planning Commission may recommend approval, approval with conditions or denial. If the Planning Commission recommends approval, staff recommends the following conditions be required:

1. Details regarding the proposed underground detention basin must be provided for Public Works' review.
2. Details regarding the proposed retaining wall (materials, style and dimensions)
3. The following conditions from Case 2018-10 – Wilson View Final Plat must be completed
 - a. Per Sec. 38-7, (15) A certification from the subdivider that after approval of the final plat, but prior to signature by the city clerk, the property owner/applicant will satisfy all outstanding city and county tax and special assessments on all property within the proposed subdivision.
 - b. Per Sec. 38-7, (g) Available options - Approval of the final plat by the city planning and zoning commission shall, however, authorize the applicant to proceed with one of the following options:
 - i. Option No. 1, completion of improvements.
 - ii. Option No. 2, bonding improvements.
 - iii. Option No. 3, escrow agreement.
 - iv. Option No. 4, delay construction or bonding until after final approval.
 - c. Per Sec. 38-10. Final Plat; Seven copies of the (final) subdivision plat of which four will be paper prints and three will be Mylar prints. All seven copies shall carry the original signatures of the owner or owners and acknowledgement by a notary public.
4. No building permit will be issued before all final engineered building plans are submitted and approved.
5. No Certificate of Occupancy will be issued until all requirements of this section have been met.
6. Compliance with all applicable local, state and federal regulations, codes, ordinances, and laws.

**CITY OF RAYTOWN
FINAL SITE PLAN & DESIGN REVIEW CHECKLIST**

RECEIVED
DEC 21 2010
BY: [Signature]

@ 4:00 pm

The following checklist is to be completed by the applicant and submitted with the Final Site Plan. The Final Site Plan shall include the following data, details, and supporting information, which are found to be relevant to the proposal and may be supplemented by additional information required by the Director of Community Development to determine whether the Final Site Plan is in compliance with the other ordinances of the City. The number of pages to be submitted will be dependent upon the size and complexity of the proposed development.

NAME OF PROPOSED DEVELOPMENT: Somerset Village

STREET ADDRESS OF PROPOSED DEVELOPMENT: 9811/13 E. 60th Street

Current Zoning of Property: R-3 **Proposed Zoning of Property:** R-3

Proposed Use of Property: Garden Apartment Units

APPLICANT: Todd Fischer - Fischer C.m.

Address: 5852 E. 20th Street, Kansas City, MO 64126

Phone: (636) 926.2498 **Fax:** (636) 926.2541

E-Mail: tfischer@claimsadj.com

PROPERTY OWNER: Michael Fein - KM-TEH Realty 4 LLC

Address: 645 Penn Street, Reading, PA 19601

Phone: (610) 358.6000 **Fax:** (-)

E-Mail: toffice8@tehmngmnt.com

ARCHITECT: Aimee Gray - A3G Architects

State of MO. Registration No. 2007019924

Address: 110 N. main Street, Liberty, MO 64068

Phone: (816) 581.6330 **Fax:** (-)

E-Mail: agray@a3garchitects.com

ENGINEER: Coby C. Crowl - Kaw Valley Engineering

State of MO. Registration No. 2000150006

Address: 8040 N. Oak Trafficway, Kansas City, MO 64118

Phone: (816) 468.5858 **Fax:** (816) 468-6651

E-Mail: cobycc@kveng.com

LANDSCAPE ARCHITECT: N/A

State of MO. Registration No. _____

Address: _____

Phone: () _____ Fax: () _____

E-Mail: _____

THE FOLLOWING MUST ACCOMPANY THIS FINAL SITE PLAN CHECKLIST IN ORDER TO BE PROCESSED:

- JSI 1. Final Site Plan Checklist.
- JSI 2. 8 folded & collated copies of the final site plan; exterior building elevation drawings, including colors and exterior building materials; and landscape plan.
- JSI 3. Title report.
- JSI 4. Letter of authorization from the property owner stating the applicant can represent the owner, if applicable.
- JSI 5. Traffic report or sign off sheet from the Public Works Director. '1
- JSI 6. 1 set of the final site plan, exterior building elevation drawings; and landscape plan reduced to 8½ x 11.
- JSI 7. An electronic copy (pdf) of the final site plan, exterior building elevation drawings; and landscape plan.
- JSI 8. A statement as to whether public utilities are available to the property.
- JSI 9. An analysis of the capacity of the sanitary sewer receiving system.
- JSI 10. To the extent that any change from an approved Preliminary Site Plan is proposed, a narrative explaining why the proposed change is not a substantial change (see Section 26-4.05 of Zoning Ordinance for definition of substantial change).

By signing below and submitting this checklist, the property owner authorizes the City of Raytown to enter onto the subject property to collect data and other information in order to accurately prepare reports or other documentation for review by the Raytown Joint Review Committee, Board of Aldermen, Board of Zoning Adjustment and / or Planning & Zoning Commission.

Todd H. Fisher Date: 12/20/18
Applicant's Signature

 Date: 12-21-18
Property Owner's Signature

A. FINAL SITE PLAN CONTENT REQUIREMENTS:

General Information		YES	NO
1.	North arrow	X	
2.	Scale	X	
3.	Vicinity map	X	
4.	Area of land in square feet and percentage of green space	X	
5.	Phasing Schedule	X	
6.	Name of design professional who prepared the drawings, and the seal of a design professional licensed in the State of Missouri	X	
7.	Existing and proposed finish grades of the site at intervals of two (2) feet or less	X	
8.	Compliance with applicable design standards for the Highway 350 Corridor	X	
Utilities & Easements		YES	NO
9.	All existing or proposed public or private easements (location, width and centerline)	X	
10.	Location of existing and proposed fire hydrants.	X	
Transportation & Access		YES	NO
11.	Existing and proposed public and private streets, medians, driveways, curb cuts and turning lanes within 185 feet of the property	X	
12.	Existing and proposed internal and adjacent rights-of-way, (location, width, centerline, curb cuts, median breaks, turning lanes and radii)	X	
13.	Existing and proposed internal and adjacent private drives, (location, width, centerline, curb cuts, median breaks, turning lanes and radii)	X	
14.	Existing and proposed, internal and adjacent, public and private sidewalks and pedestrian ways (location and width)	X	
15.	Existing and proposed parking areas (spaces and handicap spaces, dimensions, and a schedule showing the total number of spaces and handicap spaces)	X	
Storm Water		YES	NO
16.	Areas located within the 100-year flood plain	X	
17.	Existing and proposed storm water collection, detention, and retention facilities (location, dimensions, capacity and final plans)	X	
18.	Erosion control plans	X	
Buildings & Structures		YES	NO
19.	Existing and proposed buildings or structures (location, dimensions, number of stories and area)	X	
20.	Ground mounted mechanical equipment and screening (location, dimensions and materials)	X	
21.	Elevations of all existing and proposed buildings (exterior building and roofing materials)	X	
22.	Location, dimensions, size and materials for any existing and proposed retaining walls	X	
23.	Exterior signage (location, dimensions, size, type and exterior materials)	X	
24.	Existing and proposed trash enclosures (location, dimensions and materials)	X	
Setbacks		YES	NO
25.	Distance between buildings, buildings and property lines, and building and parking areas	X	
26.	Distance between parking areas, parking areas and property lines, and parking areas and buildings	X	

B. LANDSCAPE PLAN CONTENT REQUIREMENTS:

	YES	NO
1. Scale at 1" = 20' to 50'	X	
2. North reference	X	
3. Location and size of all utilities on the site	X	
4. Location of all existing and proposed impervious surfaces (i.e. sidewalks, parking areas, etc.)	X	
5. The location of all existing and proposed buildings and structures.	X	
6. Location (with their mature crown spread drawn to scale), condition, size and quantity of all proposed landscaping materials. Plant materials shall be identified by both the common and botanical name	X	
7. Location, size and common name of all existing plant materials to be retained. Every effort should be made to retain trees of 12" diameter (at 5 feet above the ground) or larger	X	
8. Location and common name of 12" diameter or larger (at 5 feet above the ground) trees, which are to be removed	X	
9. Notation of all areas to be seeded or sodded	X	
10. Location, size and materials to be used for all screening and/or outside trash enclosure areas	X	
11. All portions of the site not covered with paving or buildings shall be landscaped. Open areas not covered with other materials shall be covered with turf or ground cover. Ground cover shall be utilized on all slopes in excess of twenty-five percent (25%)	X	
12. Each interior parking lot landscaped area is situated within the parking lot so that it is surrounded by parking lot pavement on at least three (3) sides	X	
13. Each interior parking lot landscaped area contains at least on (1) tree, which is adaptable to the environment of parking areas, and the remaining area is landscaped using shrubs, ground cover and other suitable landscaping material	X	
14. Each landscaped area is separated from the pavement material by straight-back concrete curbing or by an integral concrete sidewalk and curb with a vertical face so as to prevent vehicle encroachment and pavement breakup	X	
15. A table or chart indicating that the there is a minimum of one (1) tree and two (2) shrubs per 5,000 square feet of total lot area (excluding single-family and duplex development)	X	
16. A table or chart indicating the interior landscaping of any parking lot containing more than one aisle in width (excluding automobile storage and sales lots) complies with the following (the trees and shrubs used to meet the requirements of comment 16 above shall not be counted toward this requirement) a. The minimum requirement for parking lot interior landscaping is not less than two and one-half percent (2.5%) of the total parking lot square footage b. The number of trees used in the parking lot interior is not less than one (1) for each two hundred (200) square feet, or portions thereof, of required parking lot interior landscaping	X	

ASSURED QUALITY TITLE COMPANY
Agent for: **FIRST AMERICAN TITLE INSURANCE COMPANY**
1001 WALNUT
KANSAS CITY, MO 64106
(816)221-2880

SCHEDULE A

Customer Ref: **SOMERSET VILLAGE**
Commitment No: **NMJ101288A**
Revision No. **1**

1. Commitment Date: **November 12, 2013 at 08:00 AM**

2. Policy or Policies to be issued: Amount T.B.D.
(X) ALTA Owner's Policy: (ALTA Own. Policy 06/17/06)

Proposed Insured:

KM-TEH Realty 4, L.L.C.

(X) ALTA Loan Policy: (ALTA Loan Policy 06/17/06)

Proposed Insured:

**Arbor Commercial Funding, LLC, its successors and/or assigns, as
their respective interests may appear**

Amount	\$ 4,200,000.00
**Risk Rate	\$ 10.00
Title Fee	\$ 440.00
	\$ 450.00

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:
Fee Simple

4. Title to the estate or interest in said land is at the effective date hereof vested in:

Somerset Village, L.L.C. as to Tract 1

5. The land referred to in this Commitment is described as follows:

SEE ATTACHED EXHIBIT A

SCHEDULE B 1 - REQUIREMENTS

The following are the requirements to be complied with:

1. (a) Pay the agreed amounts for the interest in the land or the mortgage to be insured.
- (b) Pay us the premiums, fees and charges for the policy.
2. Instruments in insurable form which must be executed, delivered and duly filed for record:
 - a. Properly executed Warranty Deed from Somerset Village, L.L.C., to KM-TEH Realty 4, L.L.C.
 - b. Any instrument to be executed by Somerset Village, L.L.C., must:
 - a. Be executed in the Limited Liability Company name.
 - b. Be signed by all authorized members or managers.

Furnish for our examination, an authentic copy of the Articles of Organization of said Limited Liability Company and of any amendments thereto, if any.

Furnish certificate for our file executed by the Secretary of State of its formation evidencing that Somerset Village, L.L.C. is now in good standing in said state.

Furnish for our examination, a duly executed copy of the "Operating Agreement" of Somerset Village, L.L.C.

Furnish for our file a certified copy of the Resolution of the Members of Somerset Village, L.L.C., authorizing the proposed sale of said property.

We reserve the right to make any additional requirements if deemed necessary.

- c. Properly executed Deed of Trust from KM-TEH Realty 4, L.L.C., to Arbor Commercial Funding, LLC, in the amount of \$4,200,000.00.
- d. Any instrument to be executed by KM-TEH Realty 4, L.L.C., must:
 - a. Be executed in the Limited Liability Company name.
 - b. Be signed by all authorized members or managers.

Furnish for our examination, an authentic copy of the Articles of Organization

of said Limited Liability Company and of any amendments thereto, if any.

Furnish certificate for our file executed by the Secretary of State of its formation evidencing that KM-TEH Realty 4, L.L.C. is now in good standing in said State.

Furnish for our examination, a duly executed copy of the "Operating Agreement" of KM-TEH Realty 4, L.L.C..

Furnish for our file a certified copy of the Resolution of the Members of KM-TEH Realty 4, L.L.C., authorizing the proposed encumbrance of said property.

We reserve the right to make any additional requirements if deemed necessary.

- e. Payment of Raytown Sewer Service Assessment under City Code 20-54, if any.
- f. Payment of the 2013 State, County and City Taxes.
- g. Properly executed Termination of the Lease by and between Somerset Village Investment, as Lessor, and S & R Services, a partnership, as Lessee, filed May 13, 1991 as Document No. I1040036 in Book I2123 at Page 2386. (As to Tract 1)
- h. Properly executed Termination of the Lease by and between Somerset Village Apartments, as Lessor, and S & R Services, as Lessee, dated September 30, 1992 as Document No. I1138310 in Book I2301 at Page 614. (As to Tract 1)
- i. Any lien or right to lien by any Real Estate Brokers or Real Estate Appraisers.

NOTE: This exception may be removed on the final policy provided:

- 1) a search of the records reveals no lien filed of record at time of closing;
- 2) we are provided with the following statement from the seller:

No notice by any Real Estate Broker or Real Estate Appraiser of any lien or intent to lien the subject property has been filed or received by the undersigned.

- j. To delete the exceptions shown at Items 2 through 6, Schedule B 2 hereof, we require the following:
 - a. Item No. 2 will be deleted if, at the time of issuing our policy, we are furnished with an Owner's/Seller's Affidavit stating that the record owner at the time is in sole possession of the premises in question, and that there are no tenants occupying any part of the premises, and upon review and examination by the Company of a current ALTA Certificate of Survey of the premises in

question, which must reflect any improvements to exist at the time the policy is to be issued, nevertheless, any specified item, product of said review and examination will be excepted in our policy;

b. Item Nos. 3 and 4 will be deleted if the Company is furnished with an Owner's/Seller's Affidavit and a current ALTA Certificate of Survey of the premises in question, which must reflect any improvements to exist at the time the policy is to be issued, including fences, recorded easements and unrecorded visible easements"; nevertheless, any specified item, product of said review and examination will be excepted in our policy;

c. Deletion of Item No. 5 will be considered upon being furnished evidence, satisfactory to the Company, including, without limitation, an Owner's/Seller's Affidavit executed by the record owner stating that there have been no improvements or repairs made to the subject premises within the preceding nine months in Missouri and twelve months in Kansas.

NOTE: If any new construction or improvements are contemplated this Company reserves the right to make additional requirements.

d. Item No. 6 will be deleted upon being furnished with an Owner's/Sellers Affidavit stating no notice of any special tax assessments have been received and our conducting a "special tax search" which discloses no "pending special assessments".

k. eRecording is defined as the process by which a lender, bank, title operation or government agency works with the county recorders office to process electronic documents using the Internet. Our company is currently participating in eRecording for Clay, Cass and Jackson Counties in Missouri and for Johnson and Wyandotte Counties in Kansas. If applicable, an additional electronic recording service fee of \$4.00 per document will be assessed by the county at the time of recording.

FOR YOUR INFORMATION:

Part of Tract 1

2012 and prior years State, County and City Taxes are paid.

2013 Amount - \$7,095.44, now due and payable, becoming delinquent after December 31, 2013.

Tax I.D. No. 45-210-02-87

Part of Tract 1

2012 and prior years State, County and City Taxes are paid.

2013 Amount - \$3,001.92, now due and payable, becoming delinquent after December 31, 2013.

Tax I.D. No. 45-210-02-89

Part of Tract 1

Assured Quality Title Company

2012 and prior years State, County and City Taxes are paid.
2013 Amount - \$17,192.79, now due and payable, becoming delinquent after December 31, 2013.

Tax I.D. No. 45-210-02-93

Commitment Prepared For:

Georgeadis Setley - Nichol Plank, Esq.
KM TEH Realty LLC - Michael Fein and Eliram Rabin
Jameson Babbitt Stites & Lombard PLLC - Ian Babbitt
Arbor Commercial Funding, LLC - Stephen York and Michelle Mann
Moffitt Realty - Joe Woods

For questions regarding closings, please call Karen Siewert at Assured Quality Title Co.
(816) 221-2880 Fax: (816) 221-2884
E-Mail Address: KSiewert@AQTC.com
1001 Walnut St., Kansas City, MO 64106

09/17/2013
pe
revised 12/03/2013 K

****Pursuant to 20 CSR 500-7.050 Disclosure of Premiums and Charges, the risk rate shown on Schedule A of this title commitment must be disclosed on lines 1103 and 1104 of the HUD-1 Settlement Statement and the title fee disclosed on a separate HUD-1 line.**

End of Schedule B1

SCHEDULE B 2 - EXCEPTIONS

Schedule B of the Policy or Policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company.

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate of interest or mortgage thereon covered by this Commitment.

STANDARD EXCEPTIONS:

2. Rights or claims of parties in possession not shown by the Public Record.
3. Easements, or claims of easements, not shown by the Public Record.
4. Any encroachment, encumbrance, violation, variation or adverse circumstances affecting Title that would be disclosed by an accurate and complete survey of the Land or that could be ascertained by an inspection of the Land.
5. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by Public Records.
6. Taxes, or special assessments, if any, not shown as existing liens by the Public Records.

SPECIAL EXCEPTIONS:

7. All assessments and taxes for the year 2013 and all subsequent years.
8. Terms and provisions of the Cable Television Installation Agreement by and between Somerset Village, L.L.C., a Missouri limited liability company (owner), and Jones Communications of Missouri, Inc., a Colorado corporation (operator), filed April 13, 2000 as Document No. 2000I23615. (As to Tract 1)
9. Easement for driveway, over the Easterly 15 feet of Lot 18, established or purportedly established by the instrument filed as Document No. I-13156 in Book I-39 at Page 1341. (Affects Lot 18 & 19) (As to Tract 1)
10. Public utility easement granted in the dedication of the recorded plat of said subdivision, and surface drainage easement reserved in said dedication, over those areas indicated on said plat as "Utilities Easement." (As to Tract 1)
11. Easement, if any, for storm sewer and catch basin, located within a part of Lot 12, as shown on the survey of Metropolitan Survey Company, dated December 1964. (As to Tract 1)
12. Easement for driveway purposes established in the instrument filed May 24, 1963 as Document No. 812651 over the Westerly 4.3 feet or the Easterly 49 feet of Lot 4 and over property adjacent on the West described as the Easterly 6.2 feet of the West 21 feet of Lot 4 and also over the Southerly 10 feet of the Northerly 30 feet of subject property. (As to Tract 1)
13. Building setback line over the front 30 feet of Lots 2 through 18 of the land, as established by the plat of said subdivision. (As to Tract 1)
14. Building setback line over the Southerly 30 feet and over the Easterly 30 feet of Lot 1 of the land, as established by the plat of said subdivision. (As to Tract 1)

Assured Quality Title Company

15. Building setback line over the Northerly 30 feet and over the Easterly 30 feet of Lot 19 of the land, as established by the plat of said subdivision. (As to Tract 1)
16. Easement 10 feet in width granted to the City of Raytown, Missouri for the purpose of installing and maintaining a public sanitary sewer line over, across and under a strip of land located in the Westerly part of Wilson View, as set forth in the instrument filed May 25, 1959 as Document No. 723740 in Book 1326 at Page 625. (As to Tract 1)
17. Easements, rights-of-way, or licenses, for installation, maintenance, operation and use of communication lines, poles, wires, anchors, conduits, sewers, water mains, gas lines, electric power lines, and other utility easements of any kind, together with right-of-entry for purposes of repairing, reconstructing and replacing same on, over, or under the premises in question as the same may exist in fact or of record, or by reservation or grant, including pole and line easement through the premises in question which runs along and approximately parallel to the Westerly line thereof, and as reserved in deed of Chicago, Rock Island and Pacific Railroad Company, grantor, to Blue Investment Company, grantee, dated May 20, 1968 and filed for record June 19, 1968 in Document No. I-16683 in Book I-49 at Page 671. (Affects that part of the premises in question shown above as a former part of Chicago, Rock Island and Pacific Railroad right-of-way) (As to Tract 1)
18. Reservation of Chicago, Rock Island and Pacific Railroad Company, its successors and assigns, of all coal, gas, casinghead gas and all ores and minerals of every kind and nature underlying the surface of the premises in question, together with the full right, privileges and license at any and all times to explore, or drill for or to protect, conserve, mine, take, remove and market any and all such products in any manner which shall not damage structures on the surface, as set forth in deed filed for record June 19, 1968 as Document No. I-16683. (Affects that part of the premises in question shown above as a former part of Chicago, Rock Island and Pacific Railroad right-of-way) (As to Tract 1)
19. Terms and provisions of the Memorandum of Lease Agreement by and between Somerset Village, LLC, as Lessor, and Jetz Service Co. INC., as Lessee, dated September 9, 2013 and filed October 8, 2013 as Document No. 2013E0105528. (Affects Tract 1)
20. Rights of parties in possession under unrecorded leases.
21. Any lien or right to lien by any Real Estate Brokers or Real Estate Appraisers.
22. If there has been construction, improvements or repairs to or on the property in the last 12 months, or a portion or all of the loan proceeds will be used for such, then unrecorded mechanics lien coverage will not be furnished unless arrangements are made prior to closing. If the property is 1-4 family residential and we are being asked to extend mechanic's lien coverage (through date downs or otherwise) on a construction loan, a Mechanic's Lien Indemnity Agreement secured by a satisfactory Letter of Credit will need to be furnished to the company. If the transaction is not a residential construction loan, either the aforesaid secured indemnity or satisfactory financial statements, indemnities, affidavits and possibly lien waivers, will need to be furnished to the company. Failure to notify the company in writing before closing will invalidate any mechanic's lien coverage given in the policy.
23. **PLEASE READ THE EXCEPTIONS AND THE TERMS SHOWN OR REFERRED TO HEREIN CAREFULLY. THE EXCEPTIONS ARE MEANT TO PROVIDE YOU WITH NOTICE OF MATTERS WHICH ARE NOT COVERED UNDER THE TERMS OF THE TITLE INSURANCE POLICY AND SHOULD BE CAREFULLY CONSIDERED.**

End of Schedule B2

EXHIBIT A

Tract 1

Lots 1 through 19, WILSON VIEW, a subdivision in Raytown, Jackson County, Missouri, and a former part of the Chicago, Rock Island and Pacific Railroad Company's right-of-way in the Northeast Quarter of the Northeast Quarter of Section 5, Township 48 North, Range 32 West, in Raytown, Jackson County, Missouri, more particularly described as follows:

Commencing at the point of intersection of the North line of the Northeast Quarter of said Section 5 with the centerline of said Railroad Company's main tract as originally located; thence Southerly along said centerline which is a 1 degree 00 minute curve concave to the East, 570.3 feet; thence Easterly, along a radial line to said centerline, 100 feet to the point of beginning, said point being the Northeast corner of said right-of-way; thence Southerly along the Easterly right-of-way line which is 100 feet Easterly of and parallel with said centerline, 242.9 feet; thence Westerly, along a radial line to said centerline, 50 feet; thence Northerly, along a line which is 50 feet Easterly of and parallel with said centerline, 244 feet, more or less, to a point on a radial line which intersects the point of beginning; thence Easterly along the last said radial line 50 feet of the point of beginning.

LETTER OF AUTHORIZATION

**INSURERS, AGENTS, MORTGAGEES, MUNICIPALITIES AND ALL OTHER
CONCERNED:**

TAKE NOTICE: June 15, 2017

**I/we, hereby retain and employ the service of Todd K. Fischer, Fischer CM, to
negotiate, represent and speak on my/our behalf. Directly associated with
Somerset Village Apartments, Building 9811- 9817 E. 60th Terrace, Raytown MO.
for owner: KM T.E.H. Realty4 LLC**

By: 
Michael Fein, Managing Member

Traffic Study Sign-Off Sheet, Public Utility Statement & Sanitary Sewer Analysis Statement

December 21, 2018

Tue 8/14/2018 11:06 AM

Jason Hanson

RE: Somerset Village / 9811/13 E. 60th Street

To: Amy Grant

Cc: Curtis Petersen

Answers below in red.

From: Amy Grant <AGrant@Polsinelli.com>
Sent: Tuesday, August 14, 2018 11:01 AM
To: Jason Hanson <jasonh@raytown.mo.us>
Cc: Curtis Petersen <CPetersen@Polsinelli.com>
Subject: Somerset Village / 9811/13 E. 60th Street

Jason,

Thank you for your time on the phone just now. As discussed, the Community Development Department has requested confirmation from your department, in writing, that the following reports/analysis are not needed as part of the applicant's request for Preliminary Site Plan approval:

- Traffic Impact Study or sign off sheet from Director of Public Works. We will not need a traffic impact study for the Somerset Apartment rebuild.
- Statement as to whether public utilities are available at the property. Public Utilities are available for the Somerset Apartment rebuild.
- Analysis of the capacity of the sanitary sewer receiving system. The sanitary sewer capacity is fine for the Somerset Apartment rebuild.

The basis for not requiring the reports/analysis discussed above, is because this development is pre-existing and the reconstruction of the one destroyed building will result in the exact same number of multi-family buildings (13) and the exact same number of multi-family units (156) that have been located on the site since the project was originally constructed many years ago.

Thank you for your assistance with this request.

Amy L. Grant
Senior Paralegal

agrant@polsinelli.com
913.234.7401
6201 College Blvd, Suite 500
Overland Park, KS 66211



KAW VALLEY ENGINEERING, INC.

Office: 816.468.5858

Fax: 816.468.6651

Web: www.kveng.com

Address: 8040 North Oak Trafficway
Kansas City, MO 64118

December 21, 2018

Statement of Substantial Change
Somerset Village Apartments – Building & Parking Expansion
6000 Raytown Rd.
Raytown, Jackson County, Missouri

Proposed parking and building expansions for Somerset Village located at 6000 Raytown Rd include 238 total parking spaces for the development and overall site improvements. A preliminary site plan proposed 238 total spaces and was approved on November 20, 2018 by the City of Raytown Board of Aldermen. The following final site plan maintains the proposed 238 parking spots with slight modifications to the parking layout. Following the completion of a more detailed survey, slight modifications to the parking layout were necessary to ensure total parking count and required drive lane widths were maintained. There are no significant modifications to the overall parking layout from the previously approved preliminary site plan.

Changes from the preliminary site plan include modifications to parking on the northwest portion of the property to allow one-way entry from 60th Street, and modifications to parking in the southwest portion of the property to ensure minimum drive lane widths of 24' and total parking count. Per Section 26-4.05 of the City of Raytown Zoning Ordinance, no significant changes have been made following approval of the preliminary site plan.

If you have any questions please do not hesitate to contact us at (816) 468-5858.

Respectfully Submitted,
Kaw Valley Engineering, Inc.

Coby C. Crowl, P.E.



Community Development Department
 Planning & Zoning Division
 10000 E. 59th Street
 Raytown, MO 64133
 Office (816) 737-6011 Fax (816) 737-6164

FINAL SITE PLAN - PERMIT

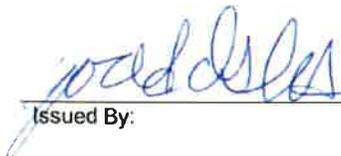
PERMIT #:	SPLAN-000022-2019	DATE APPLIED:	12/21/2018
		EXPIRATION DATE:	12/20/2019
JOB ADDRESS:	9811 E 60 TH STREET	LOT #:	
SUBDIVISION:		BLK #:	
APPLICANT:	TODD FISCHER (FISCHER CM)	PROP. OWNER:	MICHAEL FEIN (KM-THE REALTY 4 LLC)
ADDRESS	5852 E. 20 TH STREET	ADDRESS	645 PENN STREET
CITY, STATE ZIP:	KANSAS CITY, MO 64126	CITY, STATE ZIP:	READING, PA 19601
PHONE:	636-926-2498	PHONE:	816-358-6000
ARCHITECT:	AIMEE GRAY (A3G ARCHITECTS)	ENGINEER:	COBY CROWL (KAW VALLEY ENG.)
ADDRESS	110 N. MAIN STREET	ADDRESS	8040 N. OAK TRAFFICWAY
CITY, STATE ZIP:	LIBERTY, MO 64068	CITY, STATE ZIP:	KANSAS CITY, MO 64118
PHONE:	816-581-6330	PHONE:	816-468-5858
VALUATION:	N/A		
SQ FT			
OCCP TYPE:			
CNST TYPE:			
DESCRIPTION OF WORK:			

FEE CODE	DESCRIPTION	AMOUNT
PZ-09	FINAL SITE PLAN	\$300.00
TOTAL		\$300.00

Inspection Information

1. All inspections require two working days (48 hours) advance notice.
2. Inspections must be scheduled and approved before covering any work.
3. APPROVED PLANS AND SITE PLAN MUST BE ONSITE FOR INSPECTIONS!

This permit is issued in reliance upon information submitted by the applicant. The Building Official may suspend or revoke a permit whenever the permit is issued in error, on the basis of incorrect information supplied, or in violation of the adopted code, city ordinance or regulations. This permit shall become null and void if the work authorized by this permit is suspended for a period of 180 days or is not commenced within 180 days. Approval of the plans or any inspections of this project shall not be construed as an approval of a violation of the codes or ordinances of the City of Raytown.


1/2/2019

Issued By: _____ Date: _____ Applicant: _____ Date: _____

CITY OF RAYTOWN
10000 East 59th Street
Raytown, MO 64133
816-737-6000

DATE : 01/02/2019 10:13 AM
OPER : DPA
TKBY : Community Developmen
TERM : 35
REC# : R00250093

EG EnterGov 300.00
INV-00002676 300.00

Paid By:Fischer, Todd (Fischer CM)
2-CBK 300.00 REF:10719

APPLIED	300.00
TENDERED	300.00

CHANGE	0.00

Notice of Public Hearing

The Community Development Department has received a final site plan application for the Somerset Village Apartments property at 9811 E 60th Street in Raytown, Missouri.

A public hearing to consider this final site plan application will be held by the City of Raytown Planning & Zoning Commission at 7:00pm on Thursday February 7, 2019.

The Raytown Board of Aldermen will also hold a public hearing regarding the above-described application tentatively scheduled for 7:00pm on Tuesday, March 5, 2019.

Both public hearings will take place in the Council Chambers at Raytown City Hall located at 10000 E. 59th St. Raytown, MO 64133.

The public is invited to attend the public hearing to ask questions and provide comment regarding this proposed final site plan application. Additional information regarding this application can be obtained from the Department of Community Development located in Raytown City Hall at 10000 East 59th Street, by telephone at (816) 737-6093 or by e-mail at rayh@raytown.mo.us.

If you will require any special accommodation (i.e., qualified interpreter, large print, reader, hearing assistance) in order to attend either of these public hearings, please notify the Department of Community Development at Raytown City Hall at (816) 737-6014 no later than 48 hours prior to the applicable public hearing date.

11682199 Jackson Jan. 23, 2019



Community Development Department

10000 E 59th Street

Raytown, MO 64133-3993

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

Planning & Zoning Review

January 11, 2019

Case Number	PZ 2019-01
Project	Somerset
Zoning	R-3
Overlay District	CBD

Dear applicant,

Thank you for submitting the final development site plan for Somerset Village Apartments. The Joint Review Committee has reviewed these plans, and has compiled our comments in the following letter. Please submit revised plans and other requested documents/information ASAP or no later than Thursday, January 17th 2019.

Community Development Department's Comments:

Site Plan Comments

1. All existing or proposed public or private easements, including location, width and centerline need to be shown
2. All existing and proposed buildings or structures, including location, dimensions, number of stories and area need to be shown
3. All distances between buildings and distances between buildings and parking areas need to be shown
4. All distances between parking areas and parking areas and property lines need to be shown
5. Any areas located within the 100-year flood plain need to be shown
6. All existing and proposed trash enclosures, including location, dimensions and materials need to be shown
7. A statement from each applicable public utility that the site either is or will be served by the public utility needs to be provided
8. Open space and open space area needs to be shown
9. Driveway dimensions need to be shown
10. Retaining wall information needs to be shown (style, material, dimensions)
11. One of the accessible parking spaces needs to be compliant for "van accessible", and all accessible parking spaces must have the required signage on posts at the end of the spaces.

Landscape Plan Comments

1. Plant species shall be shown on the plan by indicating their mature crown spread drawn to scale

2. The location and common name of 12-inch diameter or larger (at five feet above the ground) trees, which are to be removed need to be shown
3. Location, size and materials to be used for all screening and/or outside trash enclosure areas needs to be shown

Public Works Department's Comments:

Contact Jason Hanson, City Engineer for questions regarding Public Works' comments
816-737-6067 or jasonh@raytown.mo.us

Site Plan Comments

1. C300, Site Plan – The street widening on the south side of 60th Street is 2-feet in width. This long, narrow strip of asphalt patch will be very difficult to get the appropriate compaction. We would prefer 8-inch concrete.
2. C500, Grading Plan – It appears that the proposed parking lot improvement on the west side of the property has a low point in the parking lot that doesn't have a curb cut to match, and this may not drain properly.
3. C700 Detail Sheet – The asphalt pavement detail 040 is not of sufficient thickness for a patch on a City street. Our street patch standard is an 8" concrete base with a 2" asphalt surface. But for this long narrow patch, we would be fine with an 8" thick concrete patch, as stated above.
4. Please submit the Stormwater Study, and the onsite stormwater detention plan to detain the increased runoff. Provide a letter of why this has changed from the preliminary site plan.
5. The extended 24" rcp with rip-rap at the outlet looks fine. A small concrete flume or rip-rap may be good to use at potential parking lot curb cuts as well, to aid in silt/debris not damming up the curb cut in the future?
6. Please forward the development plans to the Raytown Water Company and the Raytown Fire Protection District for their review and approval.

PZ Cases 2018-09 & 2018-10:

Somerset had its preliminary site plan and final plat approved by Raytown's Planning and Zoning Commission and Board of Aldermen in October/November of 2018. The approval of these two cases each had a number of conditions that needed to be met.

2018-09 Preliminary Site Plan Approval Conditions

1. The Parking facility lighting preliminary site plans does not have adequate information for staff to make any recommendations or the proposed design does not meet the requirements of this section of Central Business District Design Elements. *Need info on light pole (style, design, dimensions, etc.)*
2. The proposed design showing the existing plaza area on the east side of the proposed building will be eliminated, this is a requirement for "Courtyards, Plazas and open space" in the complex and a design alternative be approved to a usable space for the tenants. *Need info on open space (location, area, percentage of lot, etc.)*

3. That a design alternative be approved for the "Bulk of buildings" standards so that the proposed building is similar in design to the 10 other buildings in the complex. *With the approval of PZ 2018-09, this design alternative has been met. No further action needed.*
4. That the "upper level step backs" not be required because they would appear much different than the rest of the buildings in the complex and a design alternative be approved. *With the approval of PZ 2018-09, this design alternative has been met. No further action needed.*
5. That the flat roof be approved as a design alternative subject to proposed screening of the roof mounted equipment, vents, etc. The applicant shall submit a roof plan showing the location of all equipment, vents, etc. for review by City Staff and a design alternative be approved. *With the approval of PZ 2018-09, this design alternative has been approved. Applicant did not follow up with a roof plan. Proposed roof plan needed.*
6. Per Public Works requirements, Civil Plans, Grading Plan, Sheet 1 of 2 – The proposed storm line extension and the proposed rip-rap is not upon Somerset's property but is on the neighboring Jackson County Railroad right-of-way. These improvements must remain on Somerset Village Apt. property. *This has been fixed. No further action needed.*
7. Per Public Works requirements, a storm drainage study will still need to be submitted for review by staff. *This needs to be submitted as stated in Public Works' comments.*
8. No building permit will be issued before the final engineered site plan submitted.
9. No Certificate of Occupancy will be issued until all requirements of this section have been met.
10. That the requirements of all the previous conditions be shown on revised drawings. The applicant shall submit five copies of the revised plans at full scale for review and approval by the Director of Community Development prior to the Final Site plan being submitted to the Planning Commission. Additional copies of the plans will be required for the Planning Commission. *Copies have been submitted and are in review by Community Development Director and eventually will be presented to PZ Commission.*

2018-09 Final Plat Approval Conditions

1. Per Sec. 38-5; Before any plats shall be recorded or be of any validity, it shall have been presented to the planning commission, and approved by the council as having fulfilled the requirements of these regulations and all other applicable ordinances. *Final Plat was approved by the Planning Commission. No further action needed.*
2. Per Sec. 38-7, (15) A certification from the subdivider that after approval of the final plat, but prior to signature by the city clerk, he will satisfy all outstanding city and county tax and special assessments on all property within the proposed subdivision. *A receipt showing all taxes paid needs to be submitted along with final plat copies.*
3. Per Sec. 38-7, (g) Available options - Approval of the final plat by the city planning and zoning commission shall, however, authorize the applicant to proceed with one of the following options:

- Option No. 1, completion of improvements.
 - Option No. 2, bonding improvements.
 - Option No. 3, escrow agreement.
 - Option No. 4, delay construction or bonding until after final approval.
- Need to select an option.*

4. Per Sec. 38-10. Final Plat; Seven copies of the (final) subdivision plat of which four will be paper prints and three will be Mylar prints. All seven copies shall carry the original signatures of the owner or owners and acknowledgement by a notary public. *Signed and notarized copies need to be submitted to city staff for signatures and recorded with Jackson County Recorder of Deeds. One mylar and two paper copies must be returned to City of Raytown after recording.*

Planning and Zoning Hearing Requirements:

In addition to the revisions and additional submittals that need to be made, as the applicants of this case, you must also hold a neighborhood information meeting and post a notice sign on site prior to the Planning and Zoning commission date.

A neighborhood information meeting invite must be sent to all properties within 185 feet of the site by Wednesday, January 16. This letter must inform nearby properties of the cases' P&Z hearing date as well as the time and place of the applicant-held neighborhood information meeting. You are welcome to hold this meeting in our Council Chambers during regular business hours. Please contact our office to reserve the space. The list of properties you need to invite is attached.

This neighborhood information meeting must be held no later than Thursday, January 23. A sign-in sheet of attendees and a brief outline of topics discussed must be provided to our office no later than Noon on Monday, January 28.

A public hearing notice sign must be posted on the application site by Wednesday, January 23 and must remain posted through the hearing date and any continuations of the hearing. You can pick up the sign from our office during regular business hours.

Please be advised that the above mentioned deadlines are required in order to have your case heard at a public meeting. If any of the deadlines are not met on time, it will result in the case being postponed until the next P&Z meeting date.

Sincerely,



Ray Haydaripoor
Director of Community Development
10000 E 59th St.
Raytown, MO 64133-3993
816-737-6093
rayh@raytown.mo.us



KAW VALLEY ENGINEERING, INC.

Office: 816.468.5858

Fax: 816.468.6651

Web: www.kveng.com

Address: 8040 North Oak Trafficway
Kansas City, MO 64118

January 17, 2019

B17D3249

City of Raytown, Missouri
Community Development Department
Mr. Ray Haydaripoor
10000 E. 59th Street
Raytown, MO 64133-3993

**Re: Somerset
Case Number PZ 2019-01**

Dear Mr. Haydaripoor,

Kaw Valley Engineering, Inc. has reviewed your comments and questions. The following are our responses.

Site Plan Comments

1. All existing or proposed public or private easements, including location, width and centerline need to be shown.
All easements shown and dimensioned.
2. All existing and proposed buildings or structures, including location, dimensions, number of stories and area need to be shown.
All existing and proposed building and structures shown, dimensioned with stories shown.
3. All distances between buildings and distances between buildings and parking areas need to be shown.
All distances shown.
4. All distances between parking areas and parking areas and property lines need to be shown.
All distances shown.
5. Any areas located within the 100-year flood plain need to be shown.
Flood statement is on cover sheet – no areas in 100-year flood plain.
6. All existing and proposed trash enclosures, including location, dimensions and materials need to be shown.
All trash enclosures shown and labeled.
7. A statement from each applicable public utility that the site either is or will be served by the public utility needs to be provided.
Utility statements shown on plans.

8. Open space and open space area needs to be shown.
Open space information shown on site plan sheet C300.
9. Driveway dimensions need to be shown.
Driveway dimensions shown.
10. Retaining wall information needs to be shown (style, material, dimensions).
Retaining wall information shown.
11. One of the accessible parking spaces needs to be compliant for "van accessible", and all accessible parking spaces must have the required signage on posts at the end of the spaces.
Parking adjusted to be van accessible with ADA parking signage added.

Landscape Plan Comments

1. Plant species shall be shown on the plan by indicating their mature crown spread drawn to scale.
Plans updated to show mature crown spread.
2. The location and common name of 12-inch diameter or larger (at five feet above the ground) trees, which are to be removed need to be shown.
There are no trees with a 12' diameter or larger (at five feet above the ground) that are being removed.
3. Location, size and materials to be used for all screening and/or outside trash enclosure areas needs to be shown.
Note providing that new trash enclosures are to match existing.

Public Works Site Plan Comments

1. C300, Site Plan – The street widening on the south side of 60th Street is 2-feet in width. This long, narrow strip of asphalt patch will be very difficult to get the appropriate compaction. We would prefer 8-inch concrete.
Changed to 8" concrete.
2. C500, Grading Plan – It appears that the proposed parking lot improvements on the west side of the property has a low point in the parking lot that doesn't have a curb cut to match, and this may not drain properly.
Curb cut was moved to low point to allow for drainage.
3. C700, Detail Sheet – The asphalt pavement detail O40 is not of sufficient thickness for a patch on a City street. Our street patch standard is an 8" concrete base with a 2" asphalt surface. But for this long narrow patch, we would be fine with an 8" thick concrete patch, as stated above.
2' wide patch on 60th Street has been updated to be 8" concrete patch.
4. Please submit the Stormwater Study, and the onsite stormwater detention plan to detain the increased runoff. Provide a letter of why this has changed from the preliminary site plan.
Stormwater Study is attached. Detention plan shown within final development plans on sheets C600-C700.
5. The extended 24" rcp with rip-rap at the outlet looks fine. A small concrete flume or rip-rap may be good to use at potential parking lot curb cuts as well, to aid in silt/debris not damming up the curb cut in the future?
No action taken.

6. Please forward the development plans to the Raytown Water Company and the Raytown Fire Protection District for their review and approval.

Final development plans will be forwarded to Raytown Water Company and Raytown Fire Protection District.

PZ 2018-09 Preliminary Site Plan Approval Conditions

1. The parking facility lighting preliminary site plans do not have adequate information for staff to make any recommendations or the proposed design does not need the requirements of this section of Central Business District Design Elements. Need info on light pole (style, design, dimensions, etc.).

Light pole information provided.

2. The proposed design showing the existing plaza area on the east side of the proposed building will be eliminated, this is a requirement for "Courtyards, Plazas and open space" in the complex and a design alternative be approved to a usable space for the tenants. Need info on open space (location, area, percentage of lot, etc.).

Open space information shown on sheet C300 in notes.

3. That a design alternative be approved for the "Bulk of buildings" standards so that the proposed building is similar in design to the 10 other buildings in the complex. With the approval of PZ 2018-09, this design alternative has been met. No further action needed.

No further action needed.

4. That the "upper level step backs" not be required because they would appear much different than the rest of the buildings in the complex and a design alternative be approved. With the approval of PZ 2018-09, this design alternative has been met. No further action needed.

No further action needed.

5. That the flat roof be approved as a design alternative subject to proposed screening of the roof mounted equipment, vents, etc. The applicant shall submit a roof plan showing the location of all equipment, vents, etc. for review by City Staff and a design alternative be approved. With the approval of PZ 2018-09, this design alternative has been approved. Applicant did not follow up with a roof plan. Proposed roof plan needed.

Roof plan provided.

6. Per Public Works requirements, Civil Plans, Grading Plan, Sheet 1 of 2 – The proposed storm line extension and the proposed rip-rap is not upon Somerset's property but is on the neighboring Jackson County Railroad right-of-way. These improvements must remain on Somerset Village Apt. property. This has been fixed. No further action needed.

No further action needed.

7. Per Public Works requirements, a storm drainage study will still need to be submitted for review by staff. This needs to be submitted as stated in Public Works' comments.

Storm drainage study provided.

If you have any questions please don't hesitate to contact me at (816) 468-5858.

Sincerely,
Kaw Valley Engineering, Inc.



Amanda Mesa
EIT

**Somerset Village Apartments / PZ 2019-01
January 22, 2019 Neighborhood Meeting**

Attendance:

Aimee Gray, A3G Architects
Brandi Atwell, A3G Architect

The meeting began at 3:00 p.m. Ms. Gray concluded the meeting at 3:30 p.m. when it was evident that none of the invitees had attended the meeting.



6201 College Boulevard, Suite 500, Overland Park, KS 66211-2435 • 913 451 8788

January 16, 2019

Curtis J. Petersen
(913) 234-7458
(816) 572-5313 Direct Fax
cpetersen@polsinelli.com

VIA FIRST CLASS MAIL

Re: Final Site Plan for Somerset Village Apartments / 9811-13 E. 60th Street

Ladies and Gentlemen:

This letter is to notify you that a neighborhood meeting has been scheduled for **Tuesday, January 22, 2018**, regarding the above-referenced site. We have filed an application for Final Site Plan approval to allow for the reconstruction of a destroyed multifamily building and related improvements.

The meeting will be held at **3:00 p.m. in the Board of Alderman Chambers at Raytown City Hall located at 10000 East 59th Street, Raytown, Missouri 64133**. At that time, we will present our proposal to reconstruct a multi-family building and related improvements.

Please feel free to attend the meeting for an opportunity to learn more about the project and discuss any questions you might have. If you are unable to attend or have any questions, please contact the project architect, Aimee Gray, at 816-581-6330.

Sincerely

A handwritten signature in blue ink that reads "Curtis Petersen".

Curtis J. Petersen

polsinelli.com

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New York Overland Park Phoenix Raleigh St. Joseph St. Louis San Francisco Seattle Silicon Valley Washington, D.C. Wilmington

Polsinelli PC, Polsinelli LLP in California
06847323.1

<u>owner</u>	<u>SitusAddr</u>	<u>SitusZipCo</u>	<u>SitusCity</u>	<u>SitusState</u>
MCKAY MICHAEL & JOYCE	6020 RAYTOWN RD	64133	RAYTOWN	MO
WHITE WILLIAM WALTER	9912 E 60TH TER	64133	RAYTOWN	MO
KM-TEH REALTY 4 LLC	9900 E 60TH ST	64133	RAYTOWN	MO
REAL ESTATE TO FREEDOM LLC	5916 RAYTOWN RD	64133	RAYTOWN	MO
WILSON MARK S & BETH E	5910 OVERTON AVE	64133	RAYTOWN	MO
RAYTOWN CHAMBER OF COMMERCE	5909 RAYTOWN TFWY	64133	RAYTOWN	MO
WATSON SCOTT	9701 E 59TH ST	64133	RAYTOWN	MO
K & P RENTALS LLC	9909 E 60TH TER	64133	RAYTOWN	MO
LEWIS KEVIN	9813 E 60TH TER	64133	RAYTOWN	MO
ABRAHAM LAND LLC	9808 E 60TH TER	64133	RAYTOWN	MO
STRINGER THOMAS B & CAROL M-TRUSTEES	5921 RAYTOWN RD	64133	RAYTOWN	MO
THURMAN PAUL W II & PENNY A	NO ADDRESS ASSIGNED BY CITY	64133	RAYTOWN	MO
RL MERRIOTT PROPERTIES LLC	9905 E 60TH TER	64133	RAYTOWN	MO
STEPHENS DENISE L	9809 E 60TH TER	64133	RAYTOWN	MO
BROWN JOYCE J-TRUSTEE	9816 E 60TH TER	64133	RAYTOWN	MO
YUEN MERCY & VINSON WING	9800 E 60TH TER	64133	RAYTOWN	MO
BAXTER GARY W & LINDA L	9905 E 59TH TER	64133	RAYTOWN	MO
BARRETT KYLE & ASHLEY	9801 E 59TH TER	64133	RAYTOWN	MO
FLAHIVE DEBRA KAY BYERS	6013 RAYTOWN RD	64133	RAYTOWN	MO
MAIN SIMON A	9817 E 60TH TER	64133	RAYTOWN	MO
HAMMOND WILLIAM R	9812 E 60TH TER	64133	RAYTOWN	MO
REED CHERRI L	9901 E 59TH TER	64133	RAYTOWN	MO
DOCTOR STEPHEN CRAIG	9809 E 59TH TER	64133	RAYTOWN	MO
THURMAN PAUL W II & PENNY A	5947 RAYTOWN RD UNIT G	64133	RAYTOWN	MO
FENTON PAUL A	9913 E 60TH TER	64133	RAYTOWN	MO
ONG ANDREW	9804 E 60TH TER	64133	RAYTOWN	MO
OLVIS KATHY A	6009 RAYTOWN RD	64133	RAYTOWN	MO
FELDER BENJAMIN & LORI	9904 E 60TH TER	64133	RAYTOWN	MO
ELDER MARY ROBIN	9900 E 60TH TER	64133	RAYTOWN	MO
THORNBERG SHARON K	5920 RAYTOWN RD	64133	RAYTOWN	MO
KC MO MENS BOWLING ASSOC INC	6025 RAYTOWN RD	64133	RAYTOWN	MO
ANDERSEN MAX W & (CLARK) AMANDA M	5933 RAYTOWN RD	64133	RAYTOWN	MO

HORNBECK MICHAEL D ET AL	9805 E 60TH TER	64133	RAYTOWN MO
131ST STREET LLC	6012 RAYTOWN RD	64133	RAYTOWN MO
KM-TEH REALTY 4 LLC	9816 E 60TH ST	64133	RAYTOWN MO
KM-TEH REALTY 4 LLC	9800 E 60TH ST	64133	RAYTOWN MO
JACKSON COUNTY MISSOURI	5909 RAYTOWN TFWY	64133	RAYTOWN MO
ORR JEFFREY N & LISA R	9805 E 59TH TER	64133	RAYTOWN MO
MADDEN WENONA	10008 E 60TH TER	64133	RAYTOWN MO
MURPHY ELIZABETH F	6021 RAYTOWN RD	64133	RAYTOWN MO
THURMAN PAUL W II & PENNY A	5945 RAYTOWN RD	64133	RAYTOWN MO
VANCIL EDWARD A	9901 E 60TH TER	64133	RAYTOWN MO
WHITE ROBERT STEVEN & WHITEM Darcy L	9801 E 60TH TER	64133	RAYTOWN MO
SCHNEIDER CAROLYN D	9813 E 59TH TER	64133	RAYTOWN MO