

CITY OF RAYTOWN
PLANNING & ZONING COMMISSION
MINUTES

October 4, 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	Emerson:	Present	Stock:	Present
Bettis:	Absent	Robinson:	Present	Cochran:	Present
Frazier:	Present	Dwight:	Present	Meyers:	Present

3. Approval of July 12, 2018 Meeting Minutes

- a) Revisions - None
- b) Motion to approve - Emerson
- c) Second - Robinson
- d) Additional Board Discussion – Two new Members: Tina Cochran and David Frazier
- e) Vote – Approve (7-0)

4. Old Business - None

5. New Business

A. Case No.: PZ-2018-07 (Amendment to Planned Development – Blue Ridge Villas Lot 6)

Applicant: Ivan Chiang, LIY Financial LLC

Reason: Requesting Approval for Change of Use in R-3 District

1. Introduction of Application by Chair (Stock)

Case No.: PZ-2018-07 (Amendment to Planned Development – Blue Ridge Villas Lot 6)

Applicant: Ivan Chiang, LIY Financial LLC

Reason: Requesting Approval for Change of Use in R-3 District

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

N/A

3. Enter Additional Relevant City Exhibits into the Record:

- a. Staff report
- b. Final Plat

- c. Plat Application
- d. Plat Checklist
- e. Staff Review Letter & Applicant Responses
- f. City of Raytown Zoning Regulations, as amended
- g. City of Raytown Subdivision Regulations, as amended
- h. City of Raytown Comprehensive Plan
- i. Updated letter of Intent presented September 12, 2018

4. Introduction of Application by Staff

Mr. Haydaripoor introduces the case to the commission. The project amends the Plan Development located at 59th Street and Hunter Court. The applicants are asking to allow for ten bed facility on Lot 6.

5. Presentation of Application by Applicant

Want to change the use from 3 55+ Senior Townhomes into a ten bed Alzheimer Memory Care Facility for Senior 55+. Looking to allow Seniors to age in place, start in Independent Living, progress to Assisted Living and then, if needed, Memory Care Facility.

6. Additional Staff Comments and Recommendation

Willerth: Mr Chiang, you did get an opportunity to review the staff report dated October 4, 2018 and the one condition there for approval.

Chiang: yes, and talked with Mr. Haydaripoor. We did change ownership of the property to Fortune Homes.

Willerth: The staff recommendation is that the three diagonal parking spots that are difficult to back out of and the request is for 90 degree parking is on the west side of the building. Are you willing to go along or do you have an opinion?

Chiang: I am willing to go along because there is space for that, however we are making the loop a one way clockwise loop so when they come in it will be straight in. Also, we are designating the three spaces as employee parking

Haydaripoor: Correction on page 3 Item B there is a typo, instead of two parking spaces it should say three parking spaces.

7. Board Discussion

Stock: Green space is a concern

Chiang: to address this, the drainage area between lots 5 and 6 is being constructed as a green space area. We are putting a path around it so that the Seniors can walk to get exercise, as well as doing some planting of vegetables or flowers. Eliminated one townhouse, instead of doing nineteen, they are only doing eighteen, so that they can put in more parking and a patio area for the Alzheimer's Care.

Stock: Plenty of room for the fire trucks to get in.

Chiang: We did widen the street to 26 foot wide as per what the fire department wanted.

Emerson: This is an excellent project to take care of the Alzheimer's patients.

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

- a. Motion - Emerson
- b. Second - Meyers
- c. Additional Board Discussion
Dwight: The updated letter of intent, it went from eight to ten beds, what was the reason for this?

Chiang: It tied back to adequate parking for caregivers and the ratio of parking to beds. In our ideal model we usually have ten beds.

Dwight: So the building stayed the same?

Chiang: We expanded slightly to create two private suites (studio bedroom with its own bathroom)
- d. Vote – Yes (7-0)

B. Case No.: PZ-2018-08 (6920 Elm Rezoning – HC to R-3)

Applicant: Antonio Mendez, Dharmonylife LLC

Reason: Requesting Approval to Rezone Property from HC District to R-3 District

1. Introduction of Application by Chair (Stock)

Case No.: PZ-2018-08 (6920 Elm Rezoning – HC to R-3)

Applicant: Antonio Mendez, Dharmonylife LLC

Reason: Requesting Approval to Rezone Property from HC District to R-3 District

2. Open Public Hearing

Gomez: Representing Mr. Mendez.

Correction – After comments from the city, we are adjusting the number of townhomes from six to five.

Explain Procedure for a Public Hearing and swear-in speakers

Antonio Mendez sworn in

4. Enter Additional Relevant City Exhibits into the Record:

- a. Staff report
- b. Current City Zoning Map
- c. Proposed Zoning Map
- d. Staff Review Letter & Applicant Responses
- e. Publication of Notice of Public Hearing in Daily Record Newspaper
- f. City of Raytown Zoning Ordinance, as amended
- g. City of Raytown Comprehensive Plan

3. Explanation of any exparte' communication from Commission members regarding the application

Wilson:

4. Introduction of Application by Staff

Antonio Mendez requesting the lot at 6920 Elm be rezoned from HC to R-3 to allow for a six unit townhome development, which would not be acceptable land use for Highway Commercial Zoning

district. It should also be noted that this property is in the Highway 350 design corridor, which means it will have follow additional regulations that are intended to encourage high quality architecture, site planning, landscaping, signage, infrastructure planning and traffic flow.

5. Request for Public Comment

Munger: How are you going to upkeep this property? When the house currently there caught fire, it started her house on fire. It never gets mowed. There is always debris around the house which gets blown around the neighborhood. How long is it going to take to get the construction complete? Her privacy as there will be five potential families moving in.

Gomez: It will take between six and eight months. Currently there is a chain link fence between the properties that provides no privacy. We are proposing to have a wooden privacy fence put up. If it is used as a rental, there will be rules and regulations that will need to be followed and that will provide a certain level of control over the property. If it is not used as a rental, it will be sold.

Stock: The land has been empty and it would be nice to have something in there.

Stock: The last comprehensive plan that was done about sixteen years ago showed this as being residential. So it is going back to what was in the Comprehensive plan to start with.

Haydaripoor: clarification - The 350 Design Corridor is the responsibility of the property owner and not the cities responsibility to do the improvements in the right of way.

Munger: There have been people coming in and out of the house. It is a safety hazard. She has called the police as suggested. Is there going to be some kind of construction fence to keep these people out?

Gomez: The house will be demolished. The construction crew will have their own safety procedures to put in place.

Meyers: It may be awhile before the house is demolished, but the contractor will keep the area as safe as possible. With the new construction, the parking has to be taken into account.

Jones: This is in her backyard and she is concerned about privacy after it's all built.

Frazier: Couple of concerns to address: Parking – sounds like it will be a back out onto Elm St set up. Elm St can get fairly busy down through there. Has there been any alternatives of parking looked into? Also, this lot sits on a hill, and the buildings will be high. Will there be any type of retaining walls or is it going to be graded down to street level?

Gomez: We asked for traffic studies and received no call backs. There has been minimal talk of how to do the grading work. With all the rain, we have not been able to do a study of the property. The plan is to build on the hill as the house currently sits.

Emerson: The back of the house should be facing the other houses and that should create some privacy.

Robinson: On the West property line, there is no indication of any fencing. Is there a fence running along the North and South property lines in the back? Will there be a fence on the west side too?

Gomez: there will be a fence there to connect all those running between the houses.

Frazier: Are there plans to have patios on the back of each house:

Gomez: Currently, the plan is to just have green space.

Stock: If they put up a privacy fence, will that help at all?

Jones: Maybe.

6. Additional Staff Comments and Recommendation

Haydaripoor: Parking, we have a couple of recommendations: #5 and #6 - public works has come concern and we have requested a revision of the plans.

Hanson: Plans are still preliminary. There has been no Engineering. They were told up front both streets need to be curbed, guttered and add a sidewalk. They show that, but it has not been physically laid out with slopes or elevations. We have notified them that the storm drainage plan needs to be done, collect and manage the run off, sanitary mains sewer extension will need to be done. The only sanitary sewer is along the road and to the north. We specify that each unit needs to be connected to the sewer individually, so we foresee a sewer main extension up the back yards. We are not sold on the parking yet. We are still going to work with them of the parking lot and configuration.

Stock: This is in the staff recommendations.

Wilerth: Will you agree to meet the 14 conditions from the staff?

Mendez: Yes

7. Board Discussion

Frazier: Mr. Hanson will you be requiring the easement on the back side that would only be on their property?

Jason Hanson, City Engineer: Yes

Dwight: The concrete on the north side on the drawing

Hanson: Yes

Haydaripoor: We have not heard if they agree with the staff recommendations.

Gomez: We agree with the staff recommendations.

8. Close Public Hearing

Stock closed.

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

- a. Motion – Meyers approved with the 14 recommendations
- b. Second - Emerson
- c. Additional Board Discussion
- d. Vote – Yes (7-0)

C. Case No.: PZ-2018-09 (Somerset Village Site Plan)

Applicant: Curtis Peterson, Polsinelli (On behalf of Michael Fein, KM THE Realty LLC)

Reason: Site Plan Approval for Somerset Village Apartments

1. Introduction of Application by Chair (Stock)

Case No.: PZ-2018-09 (Somerset Village Site Plan)

Applicant: Curtis Peterson, Polsinelli (On behalf of Michael Fein, KM THE Realty LLC)

Reason: Site Plan Approval for Somerset Village Apartments

2. **Open Public Hearing**
3. **Explain Procedure for a Public Hearing and swear-in speakers**
4. **Enter Additional Relevant City Exhibits into the Record:**
 - h. Staff report
 - i. Current City Zoning Map
 - j. Proposed Zoning Map
 - k. Staff Review Letter & Applicant Responses
 - l. Publication of Notice of Public Hearing in Daily Record Newspaper
 - m. City of Raytown Zoning Ordinance, as amended
 - n. City of Raytown Comprehensive Plan
 - p. Amendment to the staff recommendations
5. **Explanation of any exparte' communication from Commission members regarding the application**

Meyers: Yes, but it would not impact his decision.
6. **Introduction of Application by Staff**

Haydaripoor: Curtis Peterson is requesting approval of a Site Plan in order to replace a building that burnt down. The proposed replacement building also contains 11 units built in 1965.
7. **Request for Public Comment**

Peterson: Somerset has 13 buildings with 156 units. They lost one building in 2016 to fire.

Peterson: Two items that we want to put before you and ask for recommendations from the board, one is the preliminary site plan and two would be approval of a final plat. Proposal as a preliminary plan: First expand 60th Street by two feet and moving the curb so that it becomes 26 feet is the standard for the fire department. Second, Plans to vacate the right of way from the north curb line and then everything north of there would be private. Put in 51 new 90 degree parking stalls and there will no longer be parallel spaces and this doubles the amount of parking stalls along 60th Street. The water meters will be relocated to the north. Will also provide a utility easement on the plat. Add parking shown in dark gray on the west side. There will be a total of 66 new parking spaces with this development. Reinforce a drive for the fire department. Adding impervious surface to deal with storm water .

Three aspects of the Staff Report: Central Business District Site Design, the CBD Building Design Standards and a couple of elements in the R-3 regulations. CBD Site Design Standards – 4 items spoken to: 1) Location of the parking facilities 2) the parking lot landscaping 3) the parking facility lighting (2 poles) and 4) pedestrian scale lighting. CBD Building Design Standards – There are 11 units and one laundry unit in the three story building. Three elements that they are asking for support of are: 1) Building articulation and setbacks. 2) Flat roof compared to a pitched roof. 3) Materials – Brick veneer, textured siding and iron for railings on the balconies. Relevant R-3 regulations – tension of parking and open green space. Increased parking by 39% and reduced open space by 9%.
9. **Additional Staff Comments and Recommendation**

No additional comments.

9. **Board Discussion**

Meyers: In reviewing the compromise that has been accomplished and working through areas of concern where a lot of it hinged on safety (parking and fire). Very satisfied with the additional parking that will alleviate the safety concern. The visual of the a/c unit on the roof was taken care of.

Dwight: White streak on the drawing, is it the sidewalk or curb?

Peterson: Yes, it represents the new roll curb.

Dwight: The only new sidewalks are centered around the new building?

Peterson: Yes.

Willerth: Did you get a chance to review the Staffs Revised Recommendation Report with the ten conditions?

Peterson: The applicant is supportive of all ten recommendations.

Dwight: Green space in the new area.

Peterson: This is a green Buffer with tree, shrubs and a bench.

10. **Close Public Hearing**

Closed.

11. **Board Decision to Approve, Conditionally Approve or Deny the Application**

- a. Motion – Frazier with staff recommendations to approve
- b. Second - Emerson
- c. Additional Board Discussion - none
- d. Vote – Yes (7-0)

D. Case No.: PZ-2018-10 (Somerset Village Plat)

Applicant: Curtis Peterson, Polsinelli (On behalf of Michael Fein, KM THE Realty LLC)

Reason: Plat Approval for Somerset Village Apartments

1. **Introduction of Application by Chair (Stock)**

Case No.: PZ-2018-10 (Somerset Village Plat)

Applicant: Curtis Peterson, Polsinelli (On behalf of Michael Fein, KM THE Realty LLC)

Reason: Plat Approval for Somerset Village Apartments

2. **Open Public Hearing**

3. **Explain Procedure for a Public Hearing and swear-in speakers**

4. **Enter Additional Relevant City Exhibits into the Record:**

- o. Staff report
- p. Current City Zoning Map
- q. Proposed Zoning Map
- r. Staff Review Letter & Applicant Responses

- s. Publication of Notice of Public Hearing in Daily Record Newspaper
- t. City of Raytown Zoning Ordinance, as amended
- u. City of Raytown Comprehensive Plan
- v. Amended Staff Report

5. **Explanation of any exparte' communication from Commission members regarding the application**

None

6. **Introduction of Application by Staff**

Haydaripoor: Applicant requesting approval of a final plat in order to replace the building that burnt down. There are 19 lots though out the property. Staff was informed by Jackson County GIL that the only data they had before 1999 is notes in the system and the tax parcel does not have any notes. In researching the deeds, every time the property transfer hands, the legal description says lot 1 through 19. We have suggested that the applicant submit a final plat and go through the process and convert the three lots to one lot.

7. **Request for Public Comment**

Peterson: The applicant supports all four recommendations in the Amended Staff Report.

8. **Additional Staff Comments and Recommendation**

None

9. **Board Discussion**

None

10. **Close Public Hearing**

11. **Board Decision to Approve, Conditionally Approve or Deny the Application**

- a. Motion – Meyers approves with the four recommendations.
- b. Second - Frazier
- c. Additional Board Discussion - none
- d. Vote – Yes (7-0)

6. Other Business- None

8. Set Future Meeting Date - Thursday, November 1, 2018 at 7:00 PM

9. Adjourn