

January 3, 2005

County Commission & Planning Board
3rd Floor Courthouse
102 E Wall Street
Harrisonville, MO 64701

Re: Application 2673, Public Hearing January 24, 2006

Dear Cass County Commissioners and Planning Board:

The Raintree Lake Property Owners Association Board of Directors (RLPOA Board) welcomes the prospect of the Winding Creek Estates single-family development on the northwest corner of Missouri Highway 291 and 163rd Street. All development creates questions and concerns from neighboring residents and communities. The RLPOA Board provided testimony during the December 27, 2005, Planning Board meeting and would like to reiterate and revise its concerns stated in the December 24, 2005 letter.

The RLPOA Board recognizes the potential for 145 homes to be constructed on these 80 acres and believes that Cass County should conduct, or have the applicant conduct, a traffic study to determine peak hourly and average daily traffic flow. The RLPOA Board strongly urges the Commission and Planning Board to require construction of a 163rd Street bridge to connect Winding Creek Estates to Missouri Highway 291 prior to allowing occupation of homes. As other communities have done, the Commission and Planning Board may consider requesting funding assistance from the applicant. We all know that 163rd Street is a narrow road with open culverts on each side and a public safety hazard exists with the additional traffic from this community if the Winding Creek Residents cannot obtain immediate access to Missouri Highway 291. The RLPOA Board also recognizes that the children from this development will be attending Timber Creek Elementary School in Raymore. In the interest of safety, especially for our children, the RLPOA Board is interested in the Commission's plans for improving 163rd Street westward to Raymore's city limits. Further, the RLPOA Board is unclear if there is to be an emergency entrance and exit into the Winding Creek Estates community from Raintree Parkway. If this is deemed a requirement, the RLPOA Board requests that it be involved in the process and that, at a minimum, a locked gate is used.

The RLPOA Board is very concerned about the lack of leash control regulations in Cass County and requests that the Commission and Planning Board address this in the Winding Creek Estates development that borders Raintree Lake on two sides. A known problem already exists within the Mullendyke community of Cass County. As unincorporated areas transition from agricultural to single-family in Cass County, there is a greater potential for dog attacks and the liability associated with these if there remains no regulations and enforcement mechanism to ensure dogs are leashed.

Further, the RLPOA Board recognizes that residents along Raintree Parkway and 163rd Street are accustomed to restrictive covenants and requests that the Commission and Planning Board require the applicant to provide a copy of Winding Creek Estates' restrictive covenants (forbidding outbuildings, vehicles in yards, etc.) prior to approval of the rezoning and application. During the meeting it was also stated that the applicant was requesting a variance on

approximately 25% of platted lots due to their size. Adjoining Raintree Lake lots along Raintree Parkway are slightly larger than one-half acre. The RLPOA Board urges the Commission and Planning Board to require, at a minimum, that the Cass County standard for lot sizes (12,500 square feet, 100' widths) be required for all lots. Further, the RLPOA Board would appreciate the Commission and Planning Board's consideration in requiring lots 31-40, 69-75, and 134-145, to be similar in size to the adjacent Raintree Lake lots.

Finally, the RLPOA Board is under the impression that Winding Creek Estates will use Raymore's sewer district and that the development has the potential to adversely affect Lee's Summit, Lake Winnebago, Raymore, and surrounding wetlands if it is not carefully planned. This is an environmentally sensitive area, and the RLPOA Board welcomes the applicant's environmental impact study from Terra Technologies. The RLPOA Board would not oppose annexation from any surrounding municipality should the Commission and Planning Board believe it necessary.

Sincerely-

Raintree Lake Property Owners Association
Board of Directors

Attachments:

FEMA Proposed Base Flood Elevations
Flood Plain Map