



# RAYMORE PLANNING AND ZONING COMMISSION AGENDA

**Tuesday, October 6, 2020 - 7:00 p.m.**

City Hall Council Chambers  
100 Municipal Circle  
Raymore, Missouri 64083

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Personal Appearances - None
5. Consent Agenda
  - a. Approval of Minutes from September 15, 2020 meeting
6. Unfinished Business - None
7. New Business - None
  - a. Case #18026 - Saddlebrook Rezoning, R-1P to R-2P (*public hearing*)
8. City Council Report
9. Staff Report
10. Public Comment
11. Commission Member Comment
12. Adjournment

*Any person requiring special accommodation (i.e. qualified interpreter, large print, hearing assistance) in order to attend this meeting, please notify the City Clerk at (816) 331-0488 no later than forty-eight (48) hours prior to the scheduled commencement of the meeting.*

# Meeting Procedures

The following rules of conduct apply:

1. Public can only speak during the meeting under the following circumstances:
  - a. The citizen has made a formal request to the Development Services Department to make a personal appearance before the Planning Commission;  
or,
  - b. A public hearing has been called by the Chairman and the Chairman has asked if anyone from the public has comments on the application being considered;  
or
  - c. A citizen may speak under Public Comment at the end of the meeting.
2. If you wish to speak to the Planning Commission, please proceed to the podium and state your name and address. Spelling of your last name would be appreciated.
3. Please turn off (or place on silent) any pagers or cellular phones.
4. Please no talking on phones or with another person in the audience during the meeting.
5. Please no public displays, such as clapping, cheering, or comments when another person is speaking.
6. While you may not agree with what an individual is saying to the Planning Commission, please treat everyone with courtesy and respect during the meeting.

Every application before the Planning Commission will be reviewed as follows:

1. Chairman will read the case number from the agenda that is to be considered.
2. Applicant will present their request to the Planning Commission.
3. Staff will provide a staff report.
4. If the application requires a public hearing, Chairman will open the hearing and invite anyone to speak on the request.
5. Chairman will close the public hearing.
6. Planning Commission members can discuss the request amongst themselves, ask questions of the applicant or staff, and may respond to a question asked from the public.
7. Planning Commission members will vote on the request.

THE **PLANNING AND ZONING COMMISSION** OF THE CITY OF RAYMORE, MISSOURI, MET IN REGULAR SESSION **TUESDAY, SEPTEMBER 15, 2020**, IN CITY COUNCIL CHAMBERS, 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING COMMISSION MEMBERS PRESENT: CHAIRMAN WILLIAM FAULKNER, MATTHEW WIGGINS, ERIC BOWIE, KELLY FIZER, JIM PETERMANN, MARIO URQUILLA, CALVIN ACKLIN AND MAYOR KRIS TURNBOW. ABSENT WAS JEREMY MANSUR. ALSO PRESENT WAS CITY PLANNER KATIE JARDIEU, DEVELOPMENT SERVICES DIRECTOR JIM CADORET, CITY ATTORNEY JONATHAN ZERR, AND PUBLIC WORKS DIRECTOR MIKE KRASS.

1. **Call to Order** – Chairman Faulkner called the meeting to order at 7:00 p.m.
2. **Pledge of Allegiance**
3. **Roll Call** – Roll was taken and Chairman Faulkner declared a quorum present to conduct business.
4. **Personal Appearances** – None
5. **Consent Agenda**
  - a. **Approval of the minutes of the September 1, 2020 meeting.**

**Motion by Commissioner Urquilla, Seconded by Commissioner Wiggins, to approve the minutes of the September 1 meeting.**

**Vote on Motion:**

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

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

**6. Unfinished Business - None**

**7. New Business -**

**a. Case #20010 - Park Side Rezoning A to R-1P (public hearing)**

*Public hearing opened at 7:04 pm.*

Joe Duffy, applicant and developer, presented the project stating that he had originally proposed multi-family on the property. However, he was discouraged by staff and went to an entire single family development. He envisions the area to be similar to what is there in Creekmoor and at prices starting at \$350,000 and higher.

Development Services Director Jim Cadoret presented the staff report stating the request is the rezoning of 155 acres located west of N. Madison Street, south of 163rd Street, from "A" Agricultural District to "R-1P" Single-Family Planned Residential District. The Growth Management Plan has designated this area as suitable for low density development since 1995. The extension of Sunset

Lane, approved through the G.O. Bond, will bisect the property nearly in half and has always been part of the City's plan. Seventeen residents attended the Good Neighbor meeting on July 8th, 2020. Mr. Cadoret shared the timeline for the project starting with an initial meeting in 2018 with a project that would have mixed use of two-family and single-family. Because of this mixed use, the "PUD" Planned Unit Development District zoning classification was identified as the most appropriate zoning and is similar to what Creekmoor originally brought forth. In May 2019 another version of the plan was brought forth and showed a reduction of residences. Mr. Duffy then brought forth a revised single-family only plan in 2020 and wanted to move forward with a rezoning and preliminary plan. This preliminary plan was brought to the Park Board in June as well as to the Good Neighbor Meeting. The following month, July, had the applicant place the project on hold in order to get all the necessary studies and jurisdictional letters in place. Waiting for these documents would cause a significant delay. Therefore the applicant asked to change from a PUD to a R-1P zoning. This would maintain the single family development but did not require a preliminary plan to be subsequently prepared since the mandatory studies and letters were not yet ready. Due to the applicant now requesting only a rezoning, the preliminary plan is no longer being considered at this time. The "P" - planned' aspect of this development does allow for a change in the lot dimensions, and Mr. Duffy is proposing a smaller minimum lot width in some of the lots at only 55-foot width which is similar to Eastbrook at Creekmoor to the North, which has 40-foot lot widths. Lastly, the school district has also seen the rezoning request and potential number of new homes and does not have any concerns with the development. Similarly the Engineering Department does not foresee any issues with the request.

Mr. Cadoret indicated that staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and forward case #20010 - Park Side Rezoning A to R-1P to the City Council with a recommendation of approval.

*Chairman Faulkner provided an opportunity for any public present to speak.*

Sarah Locke, 404 S. Sunset, had questions regarding the stormwater studies, where the tributary is going to be, and stated that the neighbor to the south of the property is agriculture and has no buffer, how would that be addressed? She also asked if this was part of the Growth Management Plan and if we are supporting businesses instead of residents.

Kenny Pfeiler, 806 N. Madison, stated that he moved here 3 years ago and raises pigs, chickens and rabbits. Seven homes would abut his property and he wondered if the smells and noises from his family farm would bother those people and suddenly there would be several complaints against him. He also wanted to know about the stormwater on N. Madison and the east side specifically. His family moved to Raymore for the small town feel.

Bradley Quest, 1116 N. Madison, asked about the timeline for completion of 163rd Street and if there are any improvements scheduled for Madison at Gore? He also wanted to know a timeline for the dog park.

Public Works and Engineering Director Mike Krass stated that the stormwater would be addressed with the preliminary plat and the developer would be required to follow the Unified Development Code. 163rd Street has a portion that is up to Creekmoor development to finish with Cooper Communities, however the city will complete 163rd at Sunset as part of the G. O. Bond that was recently passed. The City will look into the intersection at Madison and 163rd Street to see what improvements are needed, however there is very limited right-of-way and in some areas that is only 22 feet. The road is a two lane road but it still has plenty of capacity.

Mr. Cadoret answered that the Growth Management Plan shows single-family low density for the area going back to 1995 which is before Creekmoor was started. People will also be knowingly buying next to a family farm and the City is less sympathetic when people complain if they have bought the property knowing what to expect. The City acknowledges who was there first. As a City we want to

grow and we don't have commercial visibility off of the highway. Rooftops and houses ultimately help us get more commercial. The City only recently surpassed 20,000 population which helps us attract businesses and office buildings. In terms of the dog park, the future development of the park goes through a similar process with public engagement.

*The public hearing was closed at 7:39 pm.*

Commissioner Bowie asked for an example of R-1 versus R-1P. Mr. Cadoret responded that Madison Creek is R-1 whereas Eagle Glen and Brookside are R-1P. There are not any recent rezonings to R-1P and the City has not yet utilized the menu of amenities that R-1P now requires.

Commissioner Urquilla asked if the proposed use is single-family from the Growth Management Plan, then why would the City have let it remain agriculturally zoned. Mr. Cadoret responded that the City typically does not initiate rezonings, although that did happen on the east side of N. Madison Street where the area was rezoned to Residential Estate because of how the land was already being used. City Attorney Jonathan Zerr stated that the City does not initiate rezonings and the owner wouldn't appreciate a forced rezoning.

Commissioner Acklin asked if the smells and potential complaints from the farm would be addressed by the City. Mr. Cadoret answered that the City knows who was there first and sympathy to new neighbors would be limited. It is a current known when buying those lots that would back up to a farm.

Commissioner Wiggins asked if the reference menu of amenities and smaller lot sizes must follow the menu. Mr. Cadoret stated yes the applicant needed to follow the list and will provide the necessary amenities required by a Planned development rezoning.

Commissioner Fizer asked if the preliminary plat would be coming forward to the Planning Commission for approval. Mr. Cadoret replied that yes it would be and it would be a public hearing and Good Neighbor meeting as well.

Commissioner Wiggins asked if the preliminary plat did not go through would the rezoning revert back to agriculture. Mr. Cadoret explained that if the rezoning is approved, even if the preliminary plat is not approved, the property would stay R-1P zoning.

**Motion by Commissioner Urquilla, Seconded by Commissioner Bowie, to accept the staff proposed findings of fact and forward Case #20010 - Park Side Rezoning from A to R-1P to City Council for approval.**

**Vote on Motion:**

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

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

**b. Case #20018 -Scooter's Coffee - Site Plan**

Dan Furlund presented the site plan for the 566 square foot drive-thru building for Scooter's Coffee. There will be a drive-thru queue lane with eight to nine vehicle stacking for cars.

City Planner, Katie Jardieu presented the staff report for Scooter's Coffee and highlighted the mix of commercial and residential next to the site. The building will have drive-thru access only with four parking spots, one of which is handicap accessible for employees only. The following were noted during the staff report: that alcoholic beverages must be incidental to the use; outdoor seating and patio must be 100 feet from residential; a type A screen is necessary on the East side; a minimum 6-foot landscape buffer must be on all sides; and due to the building being drive-thru only, the site does not require pedestrian access to Foxwood Drive. Stormwater is addressed through an onsite pipe running through the property and no lighting, other than lights on the building, are proposed. The trash enclosure is to match the building in material and color per the UDC. There is also a gas line easement that runs through the property. Ms. Jardieu asked that the Planning Commission determine if the proposed CMU block construction for the trash receptacle enclosure met the provisions of the code.

Commissioner Wiggins asked about the lack of site lighting and the safety of the employees.

Mr. Furlund stated that in other locations the building is wrapped with LED strips as well as 8 sconces on the building. He felt the site lighting is adequate but safety is important to them and they will continue to evaluate.

Commissioner Bowie asked about getting in and out of the lot and how traffic would flow. Mr. Furlund stated that the only access is off of the private drive next to the car wash. Ms. Jardieu stated the drive is continuing to be built and all access will come from the rear of the site and no stacking would occur on Foxwood Drive as they have to go north to come into the parking and drive-thru line.

Commissioner Acklin asked if this is similar to the Scooter's in Raytown. Mr. Furlund stated this is the latest model and a better comparison would be the new Scooter's on Hwy. 150 in Lee's Summit.

Commissioner Urquilla asked how many franchises Mr. Burdick, the franchise owner, owned. Mr. Burdick stated this was his first store and he was planning for a second this year but ultimately for 3-5 stores total.

Commissioner Fizer asked to have the trash enclosure explained. Mr. Furlund stated the enclosure was CMU block painted the main color of the building. Chairman Faulkner asked what the downside of hardie board siding would be. Mr. Furlund stated the connection point to the CMU block would potentially fail. Commissioner Urquilla asked what the feelings of City staff were on the materials. Ms. Jardieu indicated that the UDC states that the materials used need to match the main structure and this differs from that. Commissioner Wiggins stated he had a photo of a newer Scooter's and asked the applicant to clarify what color the enclosure would be as well as if they could expand on the CMU. Would it be a higher-end CMU and not just cement cinder block? Mr. Furlund stated they are proposing a smooth-face CMU face painted skyline steel beige and paint the steel gates to be inkwell color and the bollards in front to be red.

Commissioner Bowie stated the buffer to the east would stay and be expanded if necessary and wanted to know how walk-ups would be addressed. Mr. Furlund stated there would be no walk-up pedestrian access as there is not enough parking unless an employee is gone. Commissioner Bowie asked if alcohol was sold and Mr. Furlund stated no.

Chairman Faulkner stated that the sign plan was not a part of the application or approval. He also asked about the head pressure of the water supply. Mr. Krass responded that the architect was looking at a pressure pump but it would be addressed as part of the building permit.

**Motion by Commissioner Urquilla, Seconded by Commissioner Wiggins, to accept the staff proposed findings of fact and approve Case #20018 -Scooter's Coffee Site Plan as submitted, subject to the 12 conditions of approval as noted.**

**Vote on Motion:**

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

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

**8. City Council Report**

City Attorney Jonathan Zerr provided a review of the Council meeting from September 14:

- Stop sign at N. Foxridge Dr and 163rd street has been approved
- Second Reading Re-Plat of the Prairie of the Good Ranch which was approved unanimously
- First Reading of Oak Ridge Farms Rezoning and public hearing.

**9. Staff Report**

Mr. Cadoret stated that there would be a Planning and Zoning Commission meeting on October 6th to hear a request for rezoning of 65 acres for the proposed Saddlebrook Subdivision from R-1P to R-2P. He also stated there would be a meeting on October 20th to discuss the 33rd UDC amendment proposing changes discussed during the annual review of the UDC. Preliminary and Final Plat review of North Cass Plaza will be on the Oct. 20 agenda as well.

**10. Public Comment**

No public comment

**11. Commission Member Comment**

Commissioner Bowie thanked the staff.

Commissioner Fizer mentioned that she was excited to see the progress and continued construction of The Lofts at Foxridge apartments..

Commissioner Acklin thanked the staff.

Commissioner Urquilla thanked the staff.

Commissioner Petermann thanked the staff.

Commissioner Wiggins thanked the staff.

Mayor Turnbow thanked staff and thanked the Commissioners for their due diligence.

Chairman Faulkner thanked the staff.

**12. Adjournment**

**Motion by Commissioner Wiggins, Seconded by Commissioner Acklin, to adjourn the September 15, 2020 Planning and Zoning Commission meeting.**

**Vote on Motion:**

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

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

The September 15, 2020 meeting adjourned at 8:29 p.m.

Respectfully submitted,

Katie Jardieu



**To:** Planning and Zoning Commission  
**From:** City Staff  
**Date:** October 6, 2020  
**Re:** **Case #18026 Rezoning: Saddlebrook Subdivision, “R-1P” to “R-2P”**

**GENERAL INFORMATION**

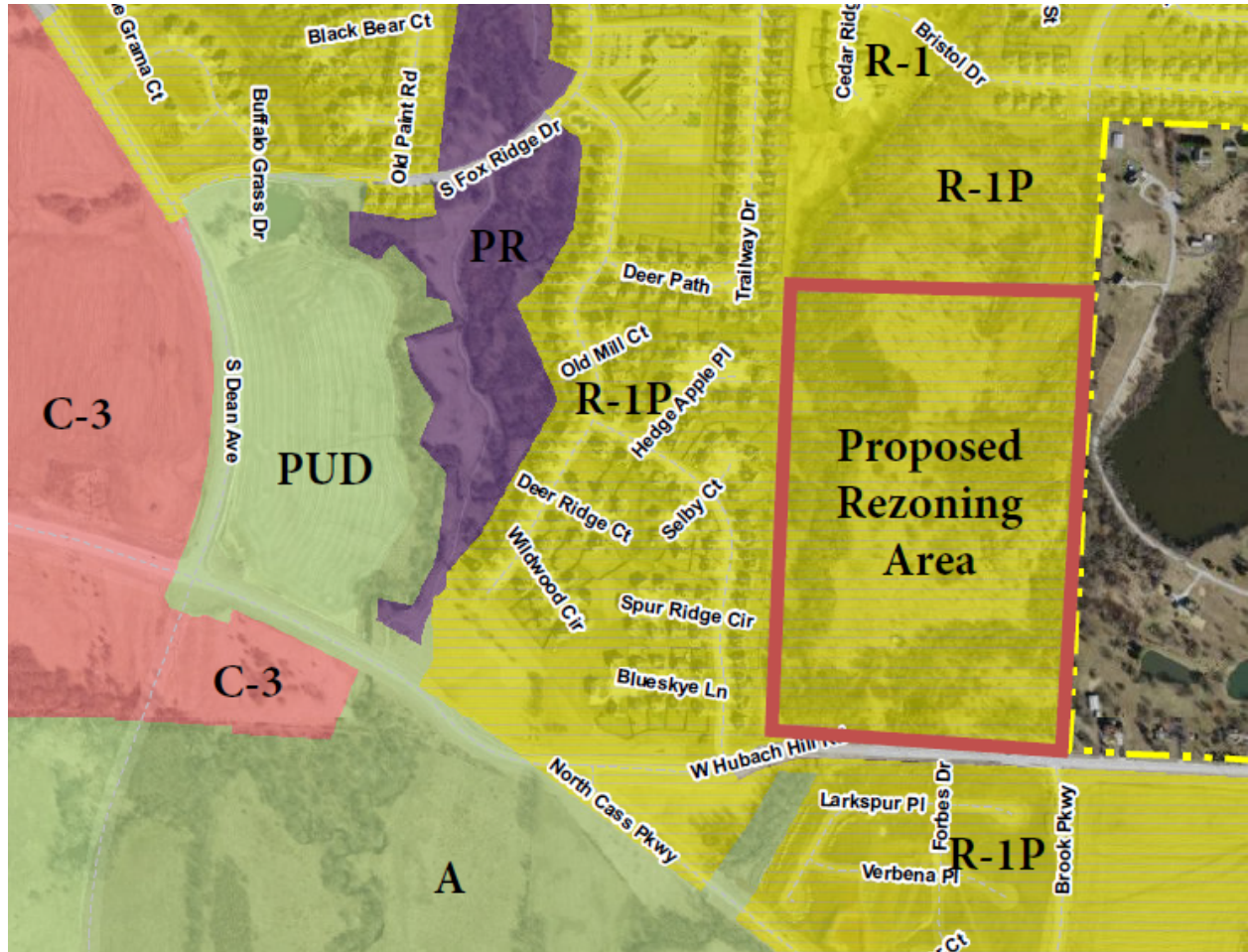
**Applicant:** Rick Frye  
Brookside Builders  
803 PCA Road  
Warrensburg, MO 64093

**Requested Action:** Requesting to reclassify the zoning of 65± acres from “R-1P” Single-Family Residential Planned District to “R-2P” Single and Two-Family Residential Planned District

**Property Location:** Generally located north of Hubach Hill Road, east of Stonegate Subdivision



**Existing Zoning:** "R-1P" Single-Family Residential Planned District



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

**Major Street Plan:** The Major Thoroughfare Plan Map classifies Hubach Hill Road as a Minor Arterial and Brook Parkway as a Minor Collector.

**Legal Description:** All of the following described tract of land except the north 600.00 feet thereof:

The East Half of the Southeast Quarter, in Section 20, Township 46, Range 32, in Cass County, Missouri, except the South 22.0 feet thereof, and further except the following described land: A part of the Southeast Quarter of Section 20, Township 46, Range 32, described as follows: Beginning at the Northwest Corner of Lot 34, DUTCHMAN'S ACRES, a subdivision of land in Cass County, Missouri, according to the recorded Plat thereof, of record in Plat Book 6, Page 3; thence West approximately 20 feet to the existing fence line as now located; thence South along the existing fence line to a point that is North 67 degrees 32 minutes West of the Southwest Corner of Lot 33 in said Subdivision; thence South 67 degrees 32 minutes East 10 the Southwest Corner of said Lot 33; thence North along the West line of Lots 33 and 34 in said subdivision to the Point of Beginning, and further except the following described land: A part of the Southeast Quarter of Section 20, Township 46, Range 32 described as follows: Beginning at the Southwest Corner of Lot 16, DUTCHMAN'S ACRES, a subdivision of land in Cass County, Missouri, according to the recorded Plat thereof, of record in Plat Book 6, Page 3; thence West approximately 22 feet to the existing fence as now located; thence North along the existing fence line to a point that is North 67 degrees 32 minutes West of the Northwest Corner

of Lot 32 In said subdivision; thence South 67 degrees 32 minutes East to the said Northwest Corner of said Lot 32; thence South along the West line of said Lots 32 and 16 to the Point of Beginning; and further except the following described land:

Part of the East half of the Southeast Quarter of Section 20, Township 46 North, Range 32 West of the 5th, Principal Meridian, Raymore, Cass County, Missouri, described as follows: Commencing at the Northeast corner of said Southeast Quarter; thence West along the North line of said Southeast Quarter, 782.47 feet more or less to the Southwest corner of a tract of land conveyed in Special Warranty Deed recorded as Document No. 170913 of record in Book 1838, Page 56; thence Southwesterly (South 32 degrees 40 minutes 39 seconds West Deed) on the Southwesterly prolongation of the West line of said tract to the West line of said East half also being the East line of Stonegate of the Good Ranch 3rd Plat, a subdivision of record in said Cass County; thence North along the West line of said East half and along the East line of said Subdivision to the North line of said Southeast Quarter; thence East along said North line to the Point of Beginning.

**Advertisement:** September 17, 2020 **Journal** newspaper

**Public Hearing:** October 6, 2020 Planning Commission meeting

**Items of Record:** **Exhibit 1. Mailed Notices to Adjoining Property Owners**  
**Exhibit 2. Notice of Publication in Newspaper**  
**Exhibit 3. Unified Development Code**  
**Exhibit 4. Application**  
**Exhibit 5. Growth Management Plan**  
**Exhibit 6. Staff Report**  
**Additional exhibits as presented during hearing**

## **REQUEST**

Applicant is requesting to reclassify the zoning designation of 65 ± acres from "R-1P" Single-Family Residential Planned District to "R-2P" Single and Two-Family Residential Planned District.

## **REZONING REQUIREMENTS**

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

Section 470.020 (B) states:

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

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

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

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

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

- The subject property was rezoned from "R-1" Single Family Residential District to "R-1P" Single Family Residential Planned District on April 10, 2006. The Planned District allowed for a reduction in the minimum side yard building setback from 10 feet down to 10% of the lot width, with a minimum of 7 feet; and reduced the minimum front yard building setback on the side street for corner lots from 30 feet down to 20 feet.
- The Brookside South Preliminary Plat was approved for the subject property on May 22, 2006. The Preliminary Plat expired on September 2, 2018.
- Prairie View of the Good Ranch was rezoned from "A" Agricultural District to "R-1P" Single Family Residential Planned District on October 10, 2005. The Planned District allowed for a reduction in the minimum lot depth from 120 feet down to 100 feet; allowed for a reduction in the minimum rear yard building setback from 30 feet down to 25 feet; and allowed for a reduction in the minimum side yard building setback from 10 feet down to 8.3 feet.
- In 2015 the Planned District requirements for Prairie View of the Good Ranch were adjusted as follows: the minimum lot size was reduced from 8,400 square feet down to 7,200 square feet; the minimum lot width was reduced from 70 feet down to 60 feet; the minimum front yard building setback was reduced from 30 feet down to 25 feet; and the minimum side yard building setback was reduced from 8.3 feet down to 6 feet.
- The Venue of The Good Ranch, a townhome development proposed for the northeast corner of Dean Avenue and North Cass Parkway, was rezoned from "A" Agricultural District to "PUD" Planned Unit Development District, on September 9, 2019. The development will consist of 51 4-unit townhome buildings.

## **GOOD NEIGHBOR INFORMATIONAL MEETING COMMENTS**

A Good Neighbor meeting was held on Thursday, August 20, 2020 in Harrelson Hall at Centerview. 21 residents attended the meeting, along with applicants Doug Park and Rick Frye and Project Engineer Shawn Duke. Development Services Director Jim Cadoret and City Planner Katie Jardieu represented City staff. The comments below provide a summary of the meeting:

Shawn Duke began the meeting by briefly explaining the project. Half of the project is creek area and therefore not developable. He is planning to do two-thirds of the project area as two-family dwellings for sale. The first one-third that is adjacent to Brookside will be single-family with a buffer planted to transition to the two-family units. They will be nice higher quality interiors and exteriors with granite, tile and an open floor-plan. These are the new starter home or for those

looking to downsize. There will be a combination of walk-out basements as well as slab foundation.

Attendees had the following questions regarding the project:

**Q: What will the starting price be?** They will start at \$163,000 and \$188,000.

**Q: What will the lot size be?** Lots will be 70 feet to 60 feet wide.

**Q: What will the square footage of the homes be?** They will be around 1,300 square feet without a basement.

**Q: Will there be garages?** Yes, they will be a one-car garage.

**Q: We are concerned that an investor will come in and rent the properties which is not what we want.** There are 23 homes being rented in Brookside right now. We are looking to sell the units and therefore have not looked at rental information.

**Q: Why do you want to do two-family and not all single-family?** The market dictates what we do and there is a demand for this pricepoint of housing.

**Q: This will devalue our homes. We don't want two-family, we want only single-family.** We have discussed this project with the city. Initially we wanted more two-family but at the city's suggestion, we reduced the number and added single-family. We have also added a buffer between the single-family and the two-family.

**Q: Will this rezone again in 5-10 years?** We would have to go through the entire rezoning process again. We are also looking to start at both ends of the project and work towards the middle.

**Q: Will stop signs be considered so that kids can continue to play and cars do not zoom through the area?** The city is the driver of where stop signs and traffic calming items are placed.

**Q: The bridge has stopped and started and stopped and started. What is happening?** The economic crash made it difficult to move forward on that aspect. It is moving forward now and will be finished along with the trail connection.

**Q: The two-family area is really large and the buffer is only one row of trees. We are concerned you are just placating and that it will end up being a large two-family complex.** I could originally see multi-family further south on the lot, but we have committed to only doing two-thirds as two-family.

**Q: What will the exterior of the homes look like?** The two-family will be low maintenance stone and brick. It will be easy to take care of.

**Q: Will this be a maintenance free community?** The Northland community we built is a maintenance provided community. We are exploring and looking into that for this as well but have not decided on that as of yet.

**Q: What is the plan for stormwater?** That will be discussed down the road after the rezoning.

**Q: When will Brook Parkway be extended and how wide and how far off of lots will the road be?** The road will have an 80-foot right of way and be 35 feet wide as a collector road. It will match the property line along the east and will potentially have a 20-foot buffer on the west.

**Q: Will this subdivision be part of the Brookside HOA?** No it will have a separate HOA.

**Q: Will there be a pool?** Possibly.

Residents and attendees went on to explain that they feel that people are looking for single-family so there is a need for that over multi-family. The concern is that in 2-6 years the homes will be trashy. We have put in our dues and now have higher-priced homes. We do not want new families here. A real-estate agent brought up that doctors, with large student debt, would qualify for these homes and want this. The resales for these homes are \$265,000. A resident answered that there is a need for that elsewhere. Residents also brought up that with only a single car garage there would be street parking and that what is being described will not stay nice down the road. There was a feeling by residents that in 5 years the homes would become rentals which is not what they wanted in this area.

## **STAFF COMMENTS**

1. The property has been zoned "R-1P" Single-Family Residential Planned District since April 10, 2006.
2. The property is owned by the same individuals who developed the Brookside Subdivision. The property was initially planned as an extension of the Brookside Subdivision and was referred to as Brookside South. The property owners are now separating the new area from Brookside and refer to the development as Saddlebrook Subdivision.



3. In October of 2018 the property owner filed a request to rezone the entire 80 acre tract from R-1P to R-2P “ Single and Two-Family Residential Planned District”. A total of 194 units were proposed. A Good Neighbor meeting was held on November 14, 2018. The property owner subsequently placed a hold on further review of the rezoning application.
4. On August 6, 2020 the applicant refiled the rezoning application and is now requesting that only the southern 65 acres of the property be rezoned to R-2P. The northern 15 acres will remain zoned R-1P and will be developed with single-family dwellings. Keeping the northern 15 acres of the new development as single-family homes creates a land use buffer between the existing single-family dwellings in the Brookside Subdivision along Bristol Drive and any new two-family dwellings constructed in the Saddlebrook Subdivision.
5. The uses permitted in the R-1P and the R-2P districts are as follows:

Use	R-1	R-2	Use Standard
<b>RESIDENTIAL USES</b>			
<b>Household Living</b>			
Single-family Dwelling, Detached (conventional)	P	P	
Manufactured Home Residential – Design	S	S	Section 420.010D
Single-family Dwelling, Attached	–	–	Section 420.010A
Two-family Dwelling (Duplex)	–	P	
Multi-family Dwelling (3+ units)	–	–	Section 420.010A
Apartment Community	–	–	Section 420.010A
Cluster Residential Development	S	S	Section 420.010B
Manufactured Home Park	–	–	Section 420.010C
Employee Living Quarters	–	–	
Accessory Dwelling, Attached	S	-	Section 420.050E
Accessory Dwelling, Detached	S	-	Section 420.050E
<b>Group Living</b>			
Assisted Living	–	–	
Group Home	S	S	Section 420.010E
Nursing Care Facility	–	–	
Transitional Living	–	–	
Group Living Not Otherwise Classified	C	C	
<b>PUBLIC AND CIVIC USES</b>			
<b>Cultural Exhibit or Library</b>	C	C	
<b>Government Buildings and Properties</b>	C	C	
<b>Place of Public Assembly</b>	C	C	
<b>Public Safety Services</b>	C	C	
<b>Religious Assembly</b>	P	P	
<b>School</b>	P	P	
<b>Utilities</b>			
Major	C	C	
Minor	P	P	
<b>COMMERCIAL USES</b>			
<b>Animal Services</b>			
Kennel	–	–	Section 420.030E

Use	R-1	R-2	Use Standard
<b>Day Care</b>			
Day Care Home	S	S	Section 420.030C
<b>Entertainment and Spectator Sports</b>			
Indoor	-	-	
Outdoor	-	-	
<b>Funeral and Interment Services</b>			
Cemetery	C	C	
Funeral Home	-	-	
<b>Lodging</b>			
Bed and Breakfast	-	-	Section 420.030H
<b>Medical Marijuana Cultivation Facility</b>	-	-	Section 420.030N
<b>Sports and Recreation, Participant</b>			
Outdoor	C	C	
Indoor	-	-	
<b>OTHER USES</b>			
<b>Accessory Uses</b>	S	S	Section 420.050
<b>Agricultural Uses</b>			
Farming	-	-	
Boarding Stables and Riding Schools	-	-	Section 420.040A
<b>Home Occupation</b>	S	S	Section 420.040B
<b>Parking</b>			
Accessory Parking	P	P	
<b>Wireless Communication Facility</b>			Section 420.040C
Colocated	S	S	

6. The current breakdown of dwelling units within the City is as follows:

<b>Existing Dwelling Units</b>				
<b>Single-Family Units</b>			<b>7,016</b>	<b>80%</b>
<b>Two-Family Units</b>			<b>406</b>	<b>5%</b>
<b>Multi-Family Units</b>			<b>1,344</b>	<b>15%</b>
<b>Total number of existing dwelling units in City</b>			<b>8,766</b>	<b>100%</b>

7. The only remaining undeveloped area designated for two-family dwellings within the City is located within the Creekmoor Subdivision, west of North Madison Street and north of 163rd Street. The two-family area on the map where Hampstead Drive and Camden Court are located has been changed to single-family residential to allow for the Eastbrooke at Creekmoor phase. To date, Creekmoor has eliminated all land areas where two-family dwellings were initially approved. The Land Use Plan Map for the Creekmoor area is illustrated below:





8. Any proposed development of two-family dwellings not in Creekmoor will require a change to the Future Land Use Map and a rezoning to the R-2 district.
9. The current “P” overlay district and the approved modifications of the development standards remain as-is regardless of the underlying base zoning district. If a portion of the property is rezoned to R-2P, the approved modifications remain and will be valid for any new buildings in the R-2P area. The applicant is not requesting any deviations different from those already allowed for the property. The established development standards for the property are as follows:

	R-1P	R-2P
<b>Minimum Lot Area</b>		
square feet	8,400	10,000
<b>Minimum Lot Width (feet)</b>	70	70
<b>Minimum Lot Depth (feet)</b>	100	100
<b>Yards, Minimum (feet)</b>		
front	30	30
rear	30	30
side	10% of lot width, min 7ft	10% of lot width, min 7ft
side, corner lot	20	20
<b>Maximum Building Height (feet)</b>	35	35
<b>Maximum Building Coverage (%)</b>	30	30

10. The subject property is located within the territorial area of the Cass County Public Water Supply District #10. The applicant is aware that the entire Saddlebrook Subdivision will be served water by Water District #10.
11. The rezoning request was submitted to the administration of the Raymore-Peculiar School District for review and comment. The school district indicated they were “aware of the development and do not feel it would cause a negative impact on our ability to meet the needs of the students”.
12. Existing floodplain area and the location of a high-pressure gas line will create a natural buffer of at least 500 feet between the existing properties in Stonegate Subdivision and any new home in the proposed Saddlebrook Subdivision.



The map illustrates the floodplain and the location of the gas main. The area shaded in orange is the land area that will remain undeveloped and will create the natural buffer between Stonegate and Saddlebrook homes.

13. The number of lots available to build upon in the City continues to decrease. From a high of over 1,400 available lots, there are now only 293 lots available to

build upon in the City, with 50% of those lots being located within Creekmoor. The need to provide additional buildable lots is high in order for Raymore to continue to grow.

14. The conceptual plan for Saddlebrook that was shared as part of the Good Neighbor meeting proposes 26 single-family dwellings and 140 two-family dwellings. This conceptual plan will be the basis for submittal of the required Preliminary Plat for the subdivision as illustrated below:



15. No proposed development in Saddlebrook could be located any closer to the Stonegate Subdivision than what is shown in this conceptual plan due to the location of the gas main which is east of the existing floodplain area.

16. Any preliminary plat filed for development on the property will require a Good Neighbor meeting to be held. If the rezoning to R-2P is denied, the property owner can file a preliminary plat application for a single-family development under the current R-1P zoning classification.

## **ENGINEERING DIVISION RECOMMENDATION**

See attached memorandum.

## **STAFF PROPOSED FINDINGS OF FACT**

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

1. **the character of the surrounding neighborhood, including the existing uses and zoning classification of properties near the subject property;** The character of the surrounding neighborhood is a mixture of single-family residential, undeveloped residential areas, large lot residential areas outside City limits, and natural open space.
2. **the physical character of the area in which the property is located;** The physical character of the area in which the property is located is a mixture of rural residential to the east (not within the City of Raymore), residential (Brookside) to the north, residential (Stonegate) and natural open space (floodplain area) to the west, and a new residential subdivision (Prairie View) to the south. There is a natural slope to the property towards the stream on the west side of the property and towards the stream north of Hubach Hill Road on the south end of the property.
3. **consistency with the goals and objectives of the Growth Management Plan and other plans, codes and ordinances of the City of Raymore;** The Growth Management Plan identifies this property as appropriate for low density residential development, defined as detached single-family residential.

The proposed rezoning of the property to the R-2P is a deviation from the proposed land use. Two-family dwellings are appropriate with the medium density residential land use classification. The applicant is requesting to modify the Future Land Use Plan Map coincident with the rezoning request.

4. **suitability of the subject property for the uses permitted under the existing and proposed zoning districts;** The property is suitable for development as both a single-family subdivision and a two-family subdivision.

With the proposed single-family phase of Saddlebrook Subdivision to the north as a land-use buffer with existing single family homes in Brookside, and with the 500-foot wide natural buffer between Stonegate Subdivision and any developable area of the Saddlebrook Subdivision, adequate separation exists between single-family homes and any proposed two-family homes.

**5. the trend of development near the subject property, including changes that have taken place in the area since the subject property was placed in its current zoning district;**

Property to the north and to the west of the subject property were developed as single-family residential prior to the subject property being zoned as R-1P.

Property to the south of the subject property was zoned as single-family prior to the subject property being zoned R-1P.

**6. the extent to which the zoning amendment may detrimentally affect nearby property;**

The proposed zoning map amendment would not detrimentally affect the surrounding properties. The subject property is isolated from any existing single family homes within the City limit with the single-family phase of the proposed Saddlebrook Subdivision and by the existing natural buffer area on the west side of the property.

**7. whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;**

Adequate public infrastructure is available to serve the site, or will be available at the time development of the property occurs. There is existing water and sanitary sewer infrastructure to serve the property. The adjacent road network can adequately serve the site. Brook Parkway will be extended through the site to create a north-south collector road connection between Lucy Webb Road and Hubach Hill Road.

**8. the suitability of the property for the uses to which it has been restricted under the existing zoning regulations;**

The property is currently suited for uses under the current zoning regulations.

**9. the length of time (if any) the property has remained vacant as zoned;**

The property has remained vacant since it was incorporated into the City.

**10. whether the proposed zoning map amendment is in the public interest and is not solely in the interests of the applicant; and**

The proposed zoning map amendment is in the public interest. Infill residential development is an appropriate use for the property. Infrastructure has been installed to allow for development of the property. Raymore is growing and new lots are needed to meet the demand for new housing options in the City. There is a demand for both single family homes and for two-family homes. There are no undeveloped land areas within the City of Raymore currently zoned for the development of two-family homes. The isolation of this property from existing single-family homes, and its proximity to Hubach Hill Road, Dean Avenue, and I-49 make the property ideal for development as a two-family subdivision.

**11. the gain, if any, to the public health, safety and welfare due to the denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.**

There will be no gain to the public health, safety and welfare of the community as a result of the denial of the application. Future development of the property is imminent. The land is completely surrounded by residential development. There is a need and demand for two-family developments in the City. Without any other property currently being zoned for two-family development, the property owner is trying to fill the need and provide both single-family and two-family options to buyers.

**REVIEW OF INFORMATION AND SCHEDULE**

<u>Action</u>	<u>Planning Commission</u>	<u>City Council 1<sup>st</sup></u>	<u>City Council 2<sup>nd</sup></u>
Public Hearing	October 6, 2020	October 26, 2020	November 23, 2020

**STAFF RECOMMENDATION**

While the Growth Management Plan and the current zoning of the property is for single-family residential development, there is a need and demand for both single-family residential lots and two-family dwellings. There are no undeveloped areas within the City of Raymore that are currently zoned for two-family residential dwellings. The property owner is wanting to provide an area that will allow for two-family residential dwellings that does not infringe upon existing single-family developments. With the proposed land use buffer of additional single-family homes to the north, and preservation of the significant natural buffer area to the west, the proposed rezoning area is isolated from other developed areas and is appropriate for a change to two-family residential.

City staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and forward case #18026, rezoning of 65± acres from "R-1P" Single-Family Residential Planned District to "R-2P" Single and Two-Family Residential Planned District, to City Council with a recommendation of approval.

## Memorandum

**TO:** Planning and Zoning Commission

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

**DATE:** September 28, 2020

**RE:** Proposed Saddlebrook Rezoning

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The subject property is located between Bristol Drive and Hubach Hill Road east of the existing Stonegate development.

Access to the site will be by the extension of Brook Parkway which is classified as a minor collector on the City's transportation master plan. southerly from Bristol Drive connecting with Hubach Hill Road, which are classified as a minor collector and minor arterial respectively.

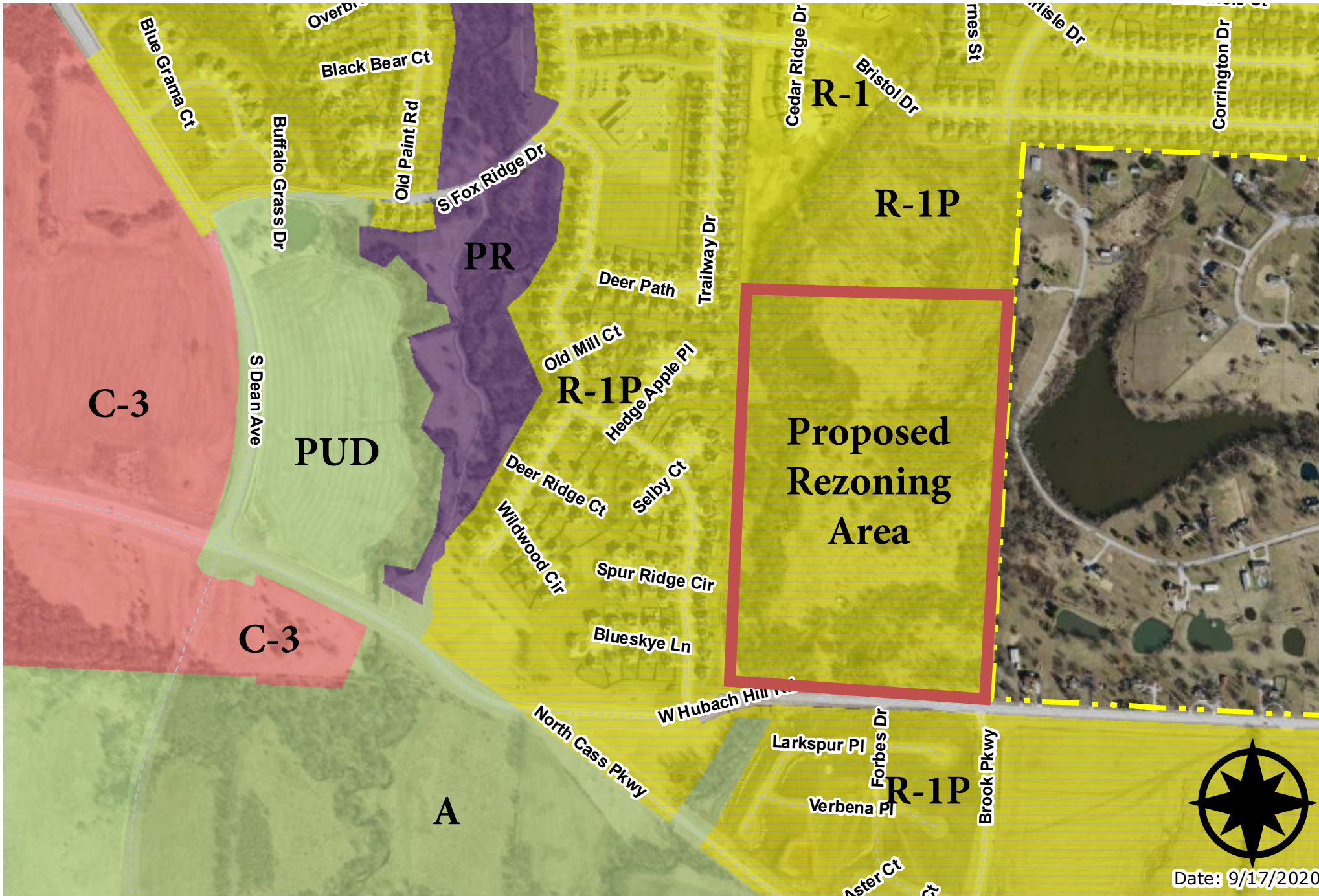
Water Service will be provided by Cass County Water Supply District 10.

Sanitary sewer exists on the western boundary of the site and is of sufficient size and capacity to serve this development.

Storm Water runoff control will be handled by a combination of underground conduits and detention facilities in accordance with City Code.

It is the opinion of the Engineering Department that the existing public and planned public facilities are adequate to support this development.





Date: 9/17/2020