

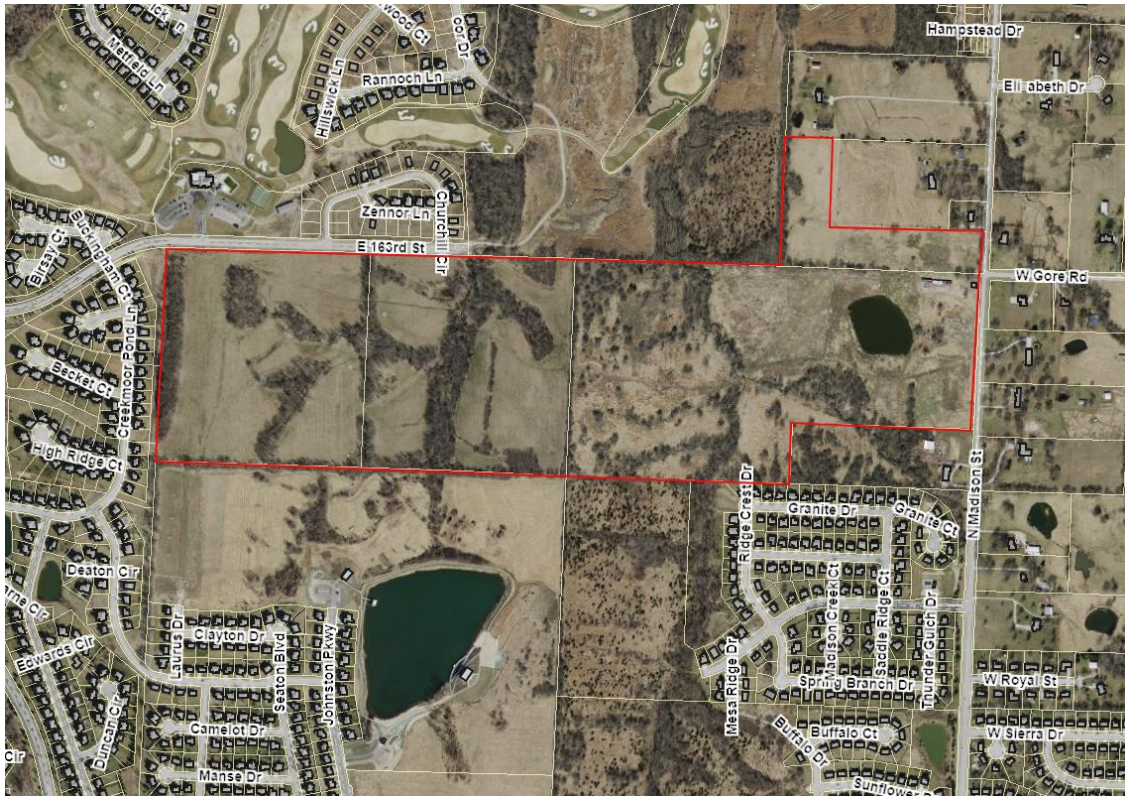
To: Planning and Zoning Commission
From: Katie Jardieu, City Planner
Date: December 1, 2020
Re: Case #20023: Park Side Subdivision - Preliminary Plat

GENERAL INFORMATION

Applicant/Property Owner Joe Duffey
105 N Stewart
Liberty, MO 64068

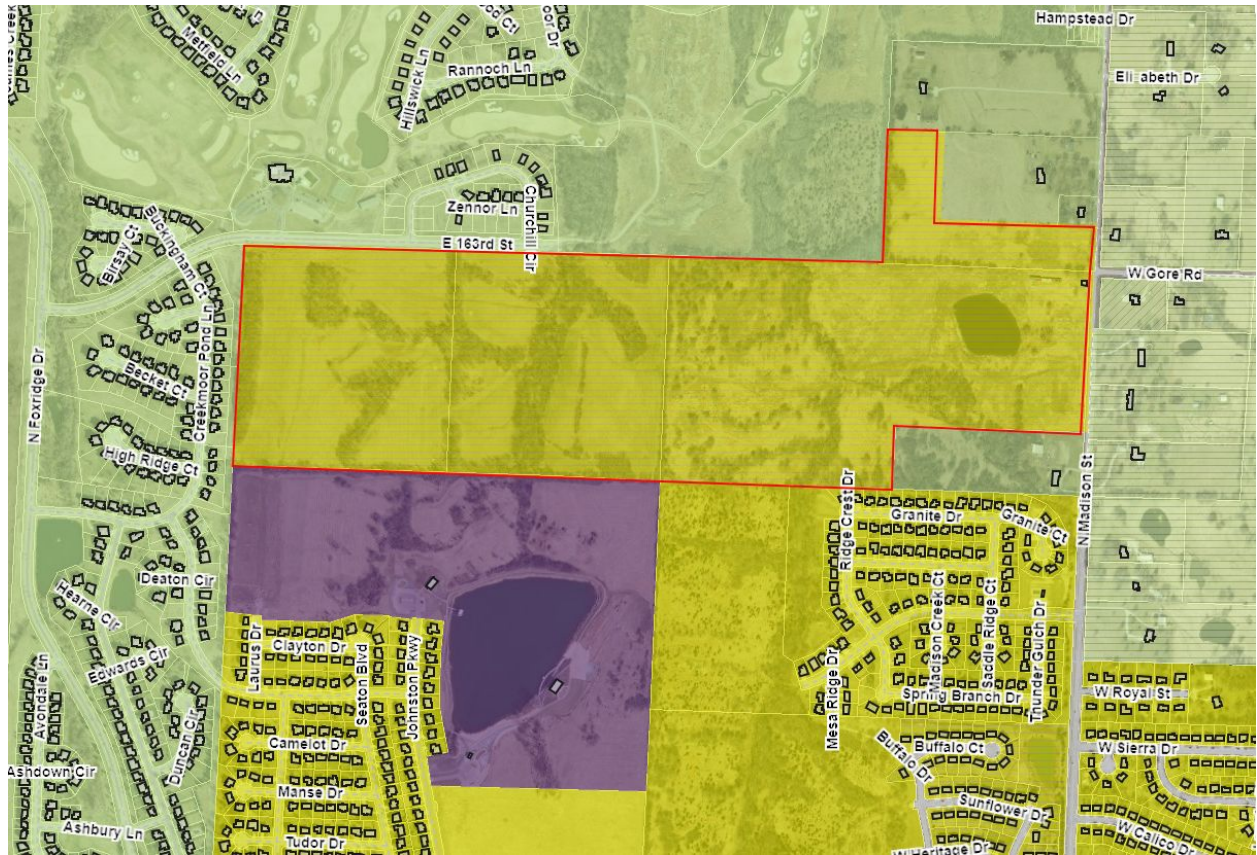
Requested Action: Preliminary Plat Approval for 155.39 acres

Property Location: Generally at the future extension of 163rd Street and Sunset Lane.



Existing Zoning:

R-1P Single-Family Residential Planned District



Existing Surrounding Zoning:

- North:** A - Agriculture District
PUD - Planned Unit Development District
- South:** PR - Park
R-1 - Single Family Residential District
A - Agricultural
- East:** RE - Rural Estate
- West:** PUD - Planned Unit Development District

Total Tract Size: 155.39 acres

Total Number of Lots: 320 lots

Legal Description: A parcel of land being a portion of the North Half of the Northwest Quarter and the North Half of the Northeast Quarter of Section 9, Township 46 North, Range 32 West and the Southeast Quarter of the Southeast Quarter of Section 4, Township 46 North, Range 32 West, City of Raymore, Cass County, Missouri, and described as follows:

Beginning at the Northeast corner of the North Half of said Northeast Quarter; thence South 02°22'28" West along the East line of said North Half, a distance of 949.00 feet to a point 381.53 feet north of the Southeast corner thereof; thence North 88°00'05" West and parallel with the South line of said North Half, a distance of 1144.58 feet; thence South 02°22'28" West and parallel with the East line of North Half, a distance of 381.53 feet to a point on the South line of said North Half; thence North 88°00'05" West along

said South line, a distance of 317.99 feet; thence westerly along the North line of a tract of land described in Deed Book 2200, Page 29 of the records of said Cass County, for the following eight courses; thence North 87°39'04" West a distance of 185.30 feet; thence North 62°25'53" West, a distance of 25.69 feet; thence South 79°08'01" West, a distance of 51.75 feet; thence North 87°52'55" West, a distance of 35.11 feet; thence North 87°33'49" West, a distance of 104.30 feet; thence North 88°09'41" West, a distance of 233.17 feet; thence North 87°33'01" West, a distance of 206.12 feet; thence North 88°14'12" West, a distance of 216.85 feet to a point on the West line of said North Half; thence South 02°28'00" West along said West line, a distance of 1.65 feet to the Southwest corner thereof; thence North 87°58'12" West along the South line of the North Half of said Northwest Quarter, a distance of 2528.26 feet to the Southwest corner thereof; thence North 03°04'04" East along the West line of said North Half, a distance of 1319.59 feet to the Northwest corner thereof; thence South 88°08'18" East along the North line of said North Half, a distance of 2514.48 feet to the Northeast corner thereof; thence South 88°05'04" East along the North line of the North Half of said Northeast Quarter, a distance of 1257.40 feet to the Southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 4; thence North 02°29'05" East, along the West line of said Southeast Quarter of the Southeast Quarter, a distance of 800.55 feet to a point on a line being 528.00 feet south of a parallel with the North line of said Southeast Quarter of the Southeast Quarter; thence South 88°02'15" East and parallel with said North line, a distance of 336.71 feet; thence South 02°29'42" West and parallel with the East line of said Southeast Quarter of the Southeast Quarter, a distance of 521.23 feet; thence South 88°05'22" East, on a line 279.00 feet north of and parallel with the South line of said Southeast Quarter of the Southeast Quarter, a distance of 920.96 feet to a point on the East line of said Southeast Quarter of the Southeast Quarter; thence South 02°29'42" West, along said East line, a distance of 279.01 feet to the Point of Beginning. Said parcel is subject to road right of ways of record and contains 6,766,544 square feet or 155.339 acres, more or less, inclusive of said right of ways.

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 the extension of 163rd Street as a major collector road. The extension of Sunset Lane is identified as a minor collector road. North Madison Street is classified as a major collector

Advertisement: November 12, 2020 **Journal Newspaper**

Good Neighbor: November 19, 2020

Public Hearing: December 1, 2020 Planning Commission meeting

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

PRELIMINARY PLAT REQUIREMENTS

The following section of the Unified Development Code is applicable to this application:

Section 470.110: Preliminary Plats

A. Applications

1. An application for a preliminary plat may be obtained from the Community Development Director. The application must be completed in its entirety in accordance with Section 470.010C and submitted at least 60 days prior to the date of the meeting where it will be considered.
2. For property in commercial or industrial zoning districts, the application must be submitted at least 30 days prior to the date of the meeting.

B. Memorandum of Understanding

A Memorandum of Understanding (MOU) may be required by the City for any preliminary plat application request.

C. Procedure

1. Pre-Application Conference

Prior to filing an application for a preliminary plat, the applicant must attend a pre-application conference in accordance with Section 470.010B.

2. Development Review Committee and Other Agency Review

a. Upon receipt of a complete application, the Community Development Director will distribute copies of the preliminary plat and supportive information to the Development Review Committee. The application will be reviewed by the Development Review Committee for compliance with applicable regulations of this Code.

b. The Community Development Director will also distribute copies of the preliminary plat to the following governmental agencies, departments, and other persons as may be deemed appropriate for the particular proposed subdivision:

- (1) Fire District;
- (2) Police Department;
- (3) School District;
- (4) State Highway Department (if the subdivision is adjacent to a State Highway); and
- (5) any utility companies providing gas, electric or telephone service in or near the subdivision.

c. The agencies, departments and persons identified in this section will have a minimum of 10 working days to review the preliminary plat and to make their report and recommendations to the Planning and Zoning Commission.

d. If a report has not been returned to the office of the Community Development Director within 10 working days after receiving a plat for review, the proposed plat will be deemed to be in conformance with the laws, rules or policies of the reviewing agency or department.

3. Planning and Zoning Commission Public Hearing

All proposed preliminary plats must be submitted to the Planning and Zoning Commission for review and recommendation. The Planning and Zoning Commission will hold a public hearing on the application in accordance with Section 470.010E

4. Planning and Zoning Commission Recommendation

a. The Planning and Zoning Commission will consider the preliminary plat within 60 days of its receipt by the Community Development Director, or at the next regular meeting for which the plat may be scheduled.

b. The Planning and Zoning Commission will review and consider the reports and recommendations of the agencies, departments and persons to whom the preliminary plat has been submitted for review.

c. If the preliminary plat does comply with all requirements, the Planning and Zoning Commission will forward the application to the City Council with a recommendation of approval.

d. If the preliminary plat is in general, but not complete compliance, the Planning and Zoning Commission may recommend conditional acceptance of the preliminary plat. The conditions of such acceptance will specify the modifications necessary to achieve full compliance. The Planning and Zoning Commission will forward the application to the City Council with a recommendation of approval, subject to conditions.

e. If the preliminary plat is not in compliance with all requirements, the Planning and Zoning Commission will recommend disapproval of the preliminary plat. Within 10 days of its final action, the Planning and Zoning Commission must notify the subdivider in writing of the reasons for its recommendation for disapproval.

f. If the preliminary plat is not recommended for approval, the subdivider may modify the preliminary plat and re-submit it to the Planning and Zoning Commission. If the plat is amended and re-submitted within 60 days of the disapproval of the original preliminary plat, no additional filing fee will be required. The Planning and Zoning Commission may reconsider the preliminary plat at a regular meeting for which the plat may be scheduled by the Community Development Director.

5. City Council Public Hearing

The Raymore City Council must hold a public hearing on the application in accordance with Section 470.010E1b through d and E2.

6. City Council Action

a. The City Council must consider the request within 60 days of receipt of written recommendation of the Planning and Zoning Commission. Upon receipt of the recommendation of the Planning and Zoning Commission, the City Council must consider the application and may take final action to approve or disapprove it.

b. If final action is not taken by the City Council within 120 days after the recommendation of the Planning and Zoning Commission is submitted to it, the preliminary plat will be deemed to have been defeated and denied, unless the applicant has consented to an extension of this time period. Whenever a preliminary plat is defeated, either by vote of the City Council or by inaction described in this section, such preliminary plat cannot be passed without another public hearing that is noticed in accordance with this chapter.

c. If the City Council approves an application, it will adopt a resolution to that effect.

7. Findings of Fact

In its deliberation of a request, the Planning and Zoning Commission and City Council must make findings of fact taking into consideration the following:

- a. the preliminary plat will not adversely affect the appropriate use of neighboring property;
- b. the preliminary plat is in compliance with all applicable regulations of the Unified Development Code, Growth Management Plan, and other City regulations and plans;
- c. the preliminary plat will not impose undue burden upon existing public services and facilities; and
- d. the preliminary plat will make adequate provision to accommodate resulting additional demands which may be imposed upon roads and streets, water supply and storage, storm sewerage, sanitary sewerage, and wastewater treatment without substantially increasing public costs and expenditures.

8. Effect of Approval of Preliminary Plat

a. Approval of the preliminary plat does not constitute final acceptance of the subdivision by the City Council, but will be considered permission to prepare and submit a final plat. Preliminary plat approval will be effective for no more than one year from the date approval was granted unless:

- (1) a final plat application is submitted within one year of the date of preliminary plat approval;
- (2) upon the request of the subdivider, the City Council grants an extension; or
- (3) final plat applications are submitted in accordance with the requirements for staged development of final plats in accordance with Section 470.130E.

b. If preliminary plat approval expires, the preliminary plat must be re-submitted as if no such plat had ever been approved.

9. Extension of Preliminary Plat

An applicant must request that the City Council grant an extension of an approved preliminary plat prior to the expiration date of the preliminary plat. An extension of the preliminary plat can only be requested if it remains unchanged from last acceptance. A request for extension does not require submission of a new application fee or a public hearing

PREVIOUS PLANNING ACTIONS ON OR NEAR THE PROPERTY

1. The PUD Planned Unit Development zoning designation for Creekmoor Subdivision was established by the City on January 26, 2004.
2. The R-1 Single-Family Residential zoning designation for Madison Creek Subdivision was established by the City on November 21, 1999. The first 3 phases of the subdivision have been constructed. The preliminary plat for the remaining undeveloped land has expired.

3. The PR Parks, Recreation and Public Use zoning designation for Hawk Ridge Park was established by the City on September 28, 2009.
4. The RE Rural Estate zoning designation for properties on the east side of North Madison Street was established by the City on October 28, 2009.
5. The R-1P zoning designation was approved for the subject property on October 12, 2020.

GOOD NEIGHBOR INFORMATIONAL MEETING COMMENTS

Fifty-four property owners were identified within 185 feet of the property boundary and notified of the Good Neighbor Meeting held on November 19, 2020. Only one neighbor was present and discussed drainage of the subdivision and potential impact upon his property. Joe Duffey, developer, committed to making sure that drainage would not affect the neighbor’s lot and family farm to the south whether that be through swales or enclosed piping.

ENGINEERING DEPARTMENT COMMENTS

The Engineering Division of Public Works has reviewed the application, Traffic Study and Stormwater Study and determined that the proposed plans and specifications comply with the standards adopted by the City of Raymore. Please see the attached memo for comments and recommendations.

STAFF COMMENTS

1. The current bulk and dimensional standards determined during the property rezoning are as follows:

	R-1P
Minimum Lot Area	6,000
per lot	-
per dwelling unit	2,000 sq.ft.
Minimum Lot Width (feet)	50
Minimum Lot Depth (feet)	100
Yards, Minimum (feet)	
front	25
rear	25
side	7
side, abutting residential district	15
Maximum Building Height (feet)	35
Maximum Building Coverage (%)	45

2. The proposed project was shared with the South Metropolitan Fire Protection District. The District had no comments or concerns.

3. There is a 75-foot right of way provided for the extension of 163rd Street. There is also an additional 50 feet of right of way for the extension of Sunset Lane. The proposed plan does not show any conflict with these future rights-of-way.
4. With Preliminary Plat approval, the property owner(s) may submit construction plans for any required public improvements and commence construction on those improvements.
5. Final Plat approval and acceptance of the required public infrastructure will be required before the issuance of any building permits on the property.
6. There are two streams crossing through the property that are required to be preserved through the City's stream buffer requirements. The proposed plat includes the limits of Zone A FEMA Floodplain on the property. The City stream buffer requirements have been met.
7. Pedestrian safety and connectivity is evaluated as part of the preliminary plat. Five-foot sidewalks will be required with the submittal of individual lots for building permits. Sidewalk will be required on the west side of Sunset Lane and a trail will be required on the east side. A trail will also be required along the north side of 163rd Street and along the west side of North Madison Street.
8. A Memorandum of Understanding (MOU) has been prepared for the subdivision. The MOU outlines all of the requirements and expectations of the City and of the Sub-Divider regarding public infrastructure and timing of installation of private amenities.
9. The administration of the Raymore-Peculiar School District was advised of the proposed preliminary plat and indicated the district was aware of the proposed development and did not have any concerns.
10. The Raymore Parks and Recreation Board, on June 23, 2020, accepted the proposed land dedication of the 10.62 acre park on the north side of 163rd Street, adjacent to North Madison Street, along with a fee-in-lieu requirement that will be paid as final plats are submitted.
11. Sanitary sewer currently crosses through the property. Mains will be extended off the existing line to serve the development. The entire subdivision will be served by gravity sewer.
12. Water main exists along 163rd Street. The main will be required to be extended east to North Madison Street to serve the entire development.

13. The proposed street names have been checked against the City and County database, are compliant with the City addressing policy, and will be reserved.

STAFF PROPOSED FINDINGS OF FACT

Under Section 470.110 of the Unified Development Code, the Planning and Zoning Commission and City Council is directed concerning its actions in dealing with a preliminary plat request. Under 470.110 (C) (7) the Planning and Zoning Commission and City Council is directed to make findings of fact taking into consideration the following:

1. the preliminary plat will not adversely affect the appropriate use of neighboring property;

The preliminary plat will not adversely affect the appropriate use of neighboring properties. The property has always been intended to be developed for single-family residential use.

2. the preliminary plat is in compliance with all applicable regulations of the Unified Development Code, Growth Management Plan, and other City regulations and plans;

The preliminary plat is in compliance with all applicable regulations of the Unified Development Code, Growth Management Plan, and other City regulations and plans. The proposed lots comply with the development standards for the underlying zoning district, and the proposed land uses are consistent with the Future Land Use Map adopted by the City.

3. the preliminary plat will not impose undue burden upon existing public services and facilities; and

The preliminary plat will not impose undue burden upon existing public services and facilities. Infrastructure to serve the property has been sized to meet the future demands for service to the property.

4. the preliminary plat will make adequate provision to accommodate resulting additional demands which may be imposed upon roads and streets, water supply and storage, storm sewerage, sanitary sewerage, and wastewater treatment without substantially increasing public costs and expenditures.

There is sufficient capacity in the water and sanitary sewer systems to support full development of the property. The road network was designed to accommodate full development of the property, or is being extended to serve the development. The Traffic Study that was submitted with the preliminary plat application identifies various

right-turn lane improvements that shall be incorporated into the future development of the property. Stormwater detention facilities will be constructed as development occurs to control water runoff from development on the property. Costs associated with extension of any water, sanitary sewer lines, storm sewer lines, or roadway improvements will be borne by the property owner and/or developer.

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>City Council</u>
Public Hearing	December 1, 2020	December 14, 2020

STAFF RECOMMENDATION

City Staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and forward case #20021 Park Side - Preliminary Plat to the City Council with a recommendation of approval subject to the following conditions:

1. All public improvements shall be designed in accordance with the most recent Kansas City Metro APWA design standards including section 5601.5 regarding overland flow.
2. All cul-de-sac islands shall provide run-off treatment. Maintenance of these BMP's shall be the responsibility of the Developer.