



To: City Council

From: Planning and Zoning Commission

Date: June 21, 2021

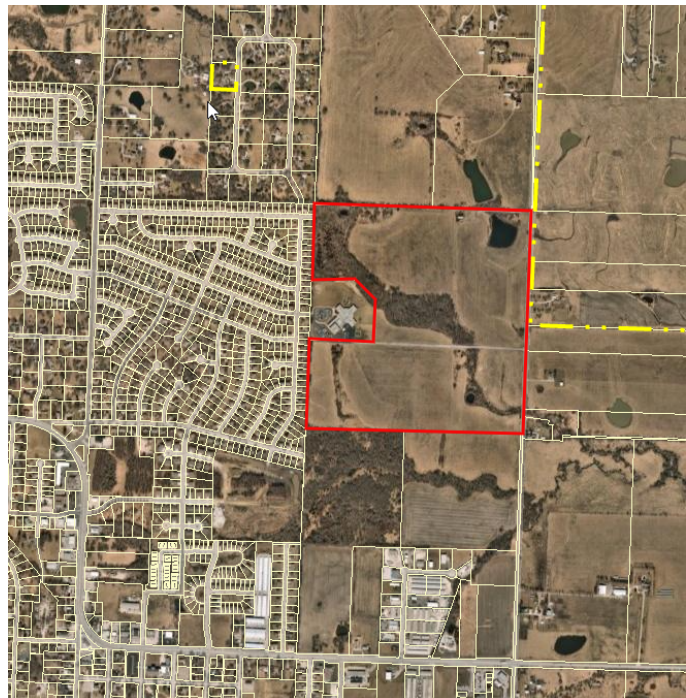
Re: **Case #21003 The Prairie at Carroll Farms Subdivision - Rezoning R-1 & A to R1-P**

GENERAL INFORMATION

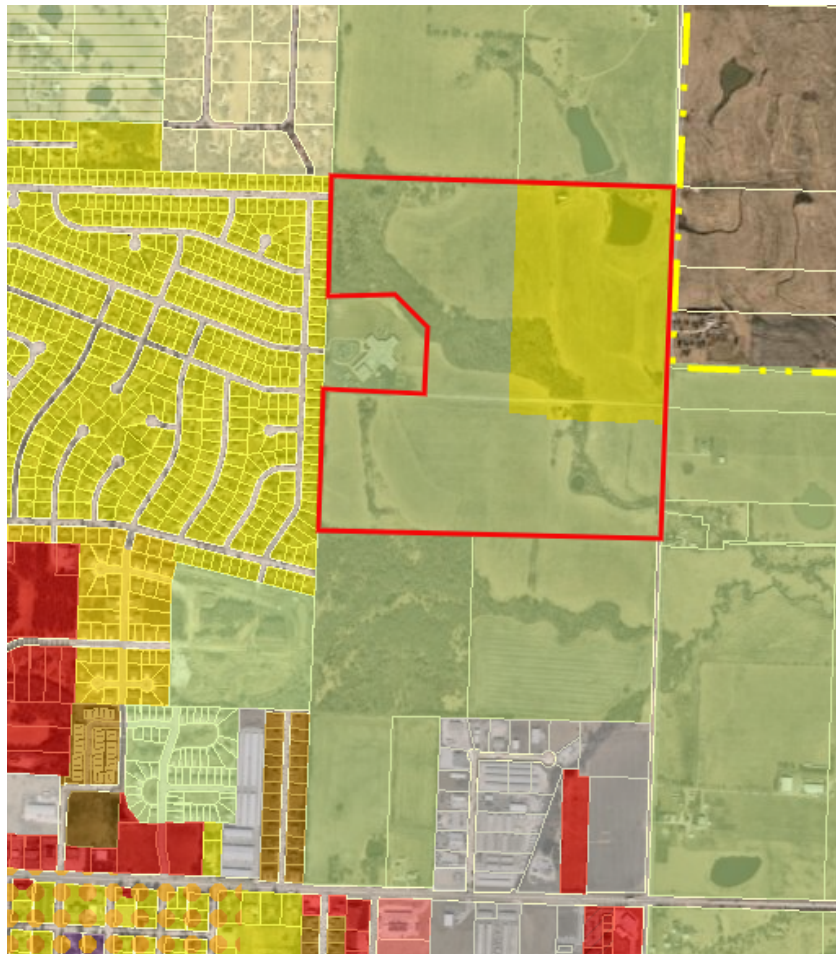
Applicant: Danny Carroll
1100 E Walnut
Raymore, MO 64083

Requested Action: Requesting to reclassify the zoning of 145± acres from "A" Agricultural District & "R-1" Single-Family Residential District to "R-1P" Single-Family Residential Planned District

Property Location: Generally located west of Kurzweil Road, east of Heritage Hills Subdivision



Existing Zoning: “R-1” Single-Family Residential District & “A” Agricultural 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 Kurzweil Road as a Minor Arterial and Carroll Farms Parkway as a Minor Collector.

Legal Description: The Southeast Quarter of Section 10, Township 46 North, Range 32 West of the Fifth Principal Meridian, Raymore, Cass County, Missouri, subject to that part thereof in road. Except the following tract of land as recorded in Book 1512, Page 226:

A part of the West Half of the Southeast Quarter of Section 10, Township 46, Range 32, in Cass County, Missouri, described as follows: From the Northwest Corner of the Southeast Quarter of Section 10 aforesaid, being the Northeast Corner of Lot 205, "CUMBERLAND HILLS - FIFTH PLAT", a subdivision of land in the City of Raymore, Missouri, according to the recorded final plat thereof, run thence South 0 degrees 34 minutes 05 seconds West, along the East line of said subdivision, being the West line of the Southeast Quarter of said Section 10, 906.03 feet to the Northeast corner of Lot 186 in said "CUMBERLAND HILLS - FIFTH PLAT", and being the true point of beginning of the tract to be described; continuing thence South 0 degrees 34 minutes 05 seconds West, along the East line of said "CUMBERLAND HILLS - FIFTH PLAT", and the East line of "CUMBERLAND HILLS SOUTH - FIRST PLAT", a

subdivision of land in the City of Raymore, Missouri, according to the recorded final plat thereof, 717.17 feet; thence South 89 degrees 25 minutes 55 seconds East, perpendicular to the East line of said subdivision, 773.00 feet; thence North 0 degrees 34 degrees 05 seconds East, parallel with the East line of said subdivisions, 485.27 feet; thence North 49 degrees 05 minutes 07 seconds West, 358.20 feet; thence North 89 degrees 25 minutes 55 seconds West, perpendicular to the East line of said subdivision, 500.00 feet to the true point of beginning. Contains 12.00 acres, more or less, subject to any existing easements and restrictions.

Advertisement: April 29, 2021 **Journal** newspaper
May 27, 2021 **Journal** newspaper

Public Hearing: May 18, 2021 Planning Commission meeting
June 14, 2021 City Council 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 145 ± acres from “A” Agricultural District and “R-1” Single-Family Residential District to “R-1P” Single 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

1. The preliminary and final plat for the Timber Creek Elementary School were approved in 1996.
2. The subject property was initially part of the Carroll Master Planned Community in 2006.
3. The original Memorandum of Understanding included a traffic study which accounted for increased traffic to the area. Since this is a smaller portion of the larger Carroll Master Planned Community, the traffic study is still valid and includes the addition of right-turn lanes from Kurzweil into the subdivision.
4. The northeast corner of the subject property was rezoned from "A" Agricultural District to "R-1" Single-Family Residential District on May 8, 2006 in anticipation of the Colonial Oaks Subdivision being developed.
5. The Preliminary Plat for Colonial Oaks Subdivision, a 118-lot phase of the Carroll Master Planned Community, was approved on May 8, 2006. The Preliminary Plat expired in 2015.

GOOD NEIGHBOR INFORMATIONAL MEETING COMMENTS

A Good Neighbor meeting was held on Thursday, April 28, 2021 in Harrelson Hall at Centerview. 8 residents attended the meeting, along with the developer, Randy Spalding, and Project Engineer Steve Warger. Development Services Director Jim Cadoret and City Planner Katie Jardieu represented City staff. The comments below provide a summary of the meeting:

Steve Warger began the meeting by briefly explaining the project. The project will be 312 single family homes with a main entrance off of Kurzweil Road. There is potential for a trail with connections and the subdivision will include a clubhouse, pool and lots of open space. The first phase of construction will be in the southeast corner and then move west.

Attendees had the following questions regarding the project:

Q: Will the new storm drains be connected to Cumberland Hills? Drainage flows east so while they will be connected, the flow is not going towards Cumberland Hills. There will also be detention basins to control the flow of water to the stream..

Q: Currently the storm drain at my neighbors has had issues in the past with back-up? Steve Warger responded stating he wasn't sure that was within their purview,

but they can potentially take a look and see. There will not be an addition of water. While there will be a connection they will bring the line to the new development.

Q: What about the trees? Will they stay? No trees will be removed if they are not on the property. Overall we want to keep the trees and cannot go on private property.

Q: How long will construction take? Construction will probably be around 50 lots per year so it will be a 6-10 year project.

Q: When will construction start? Construction will start this summer.

Q: Will Foxwood Drive open up? No, that is not part of this property. It is separately owned. The only real access and connection to the west is Sierra Drive.

Q: Was this property originally supposed to be a park? The original Carroll Master Plan originally had the area south of the school as a park, but this is a smaller plan so it will no longer be a park.

Q: Is it possible to buy the lot behind me? Yes, once we get to that phase you would be eligible to buy a lot like anyone else.

Q: What will happen to the current detention basin? It will be filled in and piped to the South. We will be preserving the stream buffer as well as adding in other detention basins.

Q: What is the developer responsible for in terms of Kurzweil Road? The developer is responsible for the turn lanes and was previously responsible for a traffic study done on the property.

Q: Will blasting be done? No, we will try to minimize the blasting as it is costly and disruptive.

Q: Will there be sidewalks on Kurzweil Road? Kurzweil Road is in the design phase right now, however with such limited right-of-way available, there will likely be a trail on the west side but not sidewalks.

Q: When will the park be built? The park will likely be built in 3-4 years. The Park Board is favorable and beginning the budgeting and planning process.

Q: What is the square footage of the homes? They will start at 1500 square feet on the main floor.

Q: What will the price of the homes be? The homes will start at \$375,000 but will go upward, particularly as material costs continue to increase.

Q: Will there be an HOA? Yes there will be an HOA with covenants and restrictions. The Developer will retain the rights until 90-95% of the lots are sold. The lots are 75 feet wide with a mix of various styles.

STAFF COMMENTS

1. The property has had a portion zoned “R-1” Single-Family Residential District since 2006.
2. In 2006 the applicant filed a rezoning application for 47 acres at the corner of Kurzweil Road and where Sierra Drive would extend. A preliminary plat was also filed and has since expired.
3. The uses permitted in the A and the R-1 districts are as follows:

Use	A	R-1	Use Standard
RESIDENTIAL USES			
Household Living			
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)	–	–	
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	P	–	
Accessory Dwelling, Attached	S	S	Section 420.050E
Accessory Dwelling, Detached	S	S	Section 420.050E
Group Living			
Assisted Living	–	–	
Group Home	S	S	Section 420.010E
Nursing Care Facility	–	–	
Transitional Living	–	–	
Group Living Not Otherwise Classified	–	C	
PUBLIC AND CIVIC USES			
Cultural Exhibit or Library	C	C	
Government Buildings and Properties	C	C	
Place of Public Assembly	C	C	
Public Safety Services	C	C	
Religious Assembly	P	P	

Use	A	R-1	Use Standard
School	P	P	
Utilities			
Major	C	C	
Minor	P	P	
COMMERCIAL USES			
Animal Services			
Kennel	C	–	Section 420.030E
Day Care			
Day Care Home	S	S	Section 420.030C
Entertainment and Spectator Sports			
Indoor	C	–	
Outdoor	C	C	
Funeral and Interment Services			
Cemetery	C	C	
Funeral Home	–	–	
Lodging			
Bed and Breakfast	S	–	Section 420.030H
Medical Marijuana Cultivation Facility	P	–	Section 420.030N
Sports and Recreation, Participant			
Outdoor	C	C	
Indoor	–	–	
OTHER USES			
Accessory Uses	S	S	Section 420.050
Agricultural Uses			
Farming	P	–	
Boarding Stables and Riding Schools	C	–	Section 420.040A
Home Occupation	S	S	Section 420.040B
Parking			
Accessory Parking	P	P	
Wireless Communication Facility			Section 420.040C
Colocated	S	S	

4. The current “R-1” district development standards and the proposed modifications of the development standards as part of the “P” Planned Overlay District are shown below:

	R-1	R-1P
Minimum Lot Area		
square feet	8,400	7,700
Minimum Lot Width (feet)	70	70
Minimum Lot Depth (feet)	100	110
Yards, Minimum (feet)		
front	30	25
rear	30	25
rear, adjacent to stream	30	20

side	10% of lot width, min 7ft	7.5ft
side, corner lot	30	15
Maximum Building Height (feet)	35	35
Maximum Building Coverage (%)	30	45

5. The “R1-P” zoning requires applicants to provide high-quality design elements and amenities in accordance with the following menu:

Menu of Planned District Design Elements and Amenities	
Housing Diversity.	
Developments that include a residential component must provide ALL of the following:	
Multiple Front Elevations	At least one distinct front building elevation per 10 dwelling units for each housing type (detached single-family, attached single-family, two-family, and/or multi-family dwellings). The required number of distinct front elevations shall be rounded up to the nearest whole number (e.g. developments with 21-29 dwelling units must offer a minimum of 3 different front elevations). The maximum number of required front elevations for each housing type within a development need not exceed six.
Variety in Building Materials	More than one exterior building material must be offered for at least one housing model for single and two-family homes (e.g. vinyl siding, brick, stone, stucco, etc.)
Variety in Garage Design	Where more than one front elevation is required for developments that include detached single-family, attached single-family, and/or two-family dwelling units, a minimum of one floor plan designed with at least one of the following garage designs: <ul style="list-style-type: none"> • Recessed, front-loaded (a minimum 8-foot setback from front façade) • Rear-loaded • Side-loaded, or • Detached garages
Residential Amenities.	
Developments that include a residential component must provide at least one amenity from each group installed at the same time as the public improvements:	
Group 1 Active Recreation Amenities	Golf course
	Athletic fields, basketball court or tennis courts
	Swimming pool that is at least 1000 square feet in surface area
	Club house or community building that includes exercise rooms, meeting rooms, and/or sheltered picnic facilities
Group 2 Passive Recreation Amenities	Playground/tot lot
	Historically significant buildings, structures or other historic resource
	Bike or pedestrian pathways in addition to required public sidewalks and bike paths, in compliance with the City’s Transportation Plan and Park Master Plan. Credit will be given for trails required by the Growth Management Plan.
	Nature trails, boardwalks or piers that provide access to preserved natural areas and features or historically significant resources
Group 3 Natural Features and Open Space Amenities	Gazebo
	Preservation of natural features that exceed the size of those that would be required to be preserved by other local, County, State or Federal ordinances or requirements, by at least 25 percent. Examples include wetlands, floodplains, stream corridors, steep slopes, grasslands and woodlands
	Open space in excess of one acre in area that preserves native plant communities or wildlife habitat
	Natural stormwater detention design that utilizes native plant materials
	Widened landscape buffer widths of at least 30 feet and a minimum of 50 percent increase in plant materials required by Section 445.0301.4
	Public art such as sculptures located within common open space

	Street trees
Nonresidential Amenities.	
Developments that include a nonresidential component must provide at least 3 of the following amenities:	
Public Enhancements and Streetscape Features	Public plaza that includes seating areas and is at least 3,000 square feet in area
	Public art such as sculptures or fountains
	Clock tower
	Bike pathways in addition to required public sidewalks and bike paths in compliance with the City's Transportation Plan and Park Master Plan
	Bike parking facilities
	Ornamental parking lot lighting
	Decorative pavers for pedestrian crosswalks

6. The applicant intends to provide the following amenities:
 - a. Multiple front elevations
 - b. Swimming Pool
 - c. Playground
 - d. Open space along the stream corridor

7. The subject property is located within the territorial area of the City water supply. The applicant is aware that the entire subdivision will be served water by the City of Raymore.

8. 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”.

9. Existing stream buffers throughout the property will be preserved.

ENGINEERING DIVISION RECOMMENDATION

See attached memorandum.

PLANNING COMMISSION 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, agricultural areas, 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 agricultural and large lot residential to the east, residential (Cumberland Hills) to the west, woods and agricultural land to the south; and large lot residential to the north. There is a natural slope to the property towards Kurzweil Road and the stream that crosses through 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.

The proposed rezoning of the property to the R-1P is consistent with the Future Land Use Plan Map.

4. **suitability of the subject property for the uses permitted under the existing and proposed zoning districts;**

The property is suitable for its current agricultural use, though agriculture is not the highest and best land use for the property. The property is suitable for development as a single-family subdivision.

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 west of the subject property was developed as single-family residential.

Property to the north was developed as a large-lot residential area.

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 adjacent to existing single family homes and an elementary school. The property has been planned for residential development for many years and City infrastructure is in place to serve 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. Kurzweil Road improvements were included as part of the 2020 General Obligation Bond Issue.

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 single family homes . The property is adjacent to an elementary school and is ideal for residential development.

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 adjacent to existing residential development and a school. There is a need and demand for single-family developments in the City.

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>City Council 1st</u>	<u>City Council 2nd</u>
Public Hearing	May 18, 2021	June 14, 2021	June 21, 2021

STAFF RECOMMENDATION

City staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and forward case #21003, rezoning of 145+ acres from “A” Agricultural District and “R-1” Single-Family Residential District to “R-1P” Single-Family Residential Planned District to City Council with a recommendation of approval.

PLANNING AND ZONING COMMISSION RECOMMENDATION

The Planning and Zoning Commission, at its May 18, 2021 meeting, voted 9-0 to accept the staff proposed findings of fact and forward case #21003, rezoning 145+ acres from “A” Agricultural District and “R-1” Single-Family Residential District to “R-1P” Single-Family Residential Planned District to City Council with a recommendation of approval.

CITY COUNCIL ACTION 1ST READING - 6/14/2021

The City Council, at its June 14, 2021 meeting, voted 7-0 to accept the Planning and Zoning Commission proposed findings of fact and approved case #21003, rezoning 145± acres from “A” Agricultural District and “R-1” Single-Family Residential District to “R-1P” Single-Family Residential Planned District, on 1st reading.

CITY COUNCIL ACTION 2ND READING - 6/21/2021

The City Council, at its June 21, 2021 meeting, voted 7-0 to accept the Planning and Zoning Commission proposed findings of fact and approved case #21003, rezoning 145± acres from “A” Agricultural District and “R-1” Single-Family Residential District to “R-1P” Single-Family Residential Planned District, on 2nd reading .