



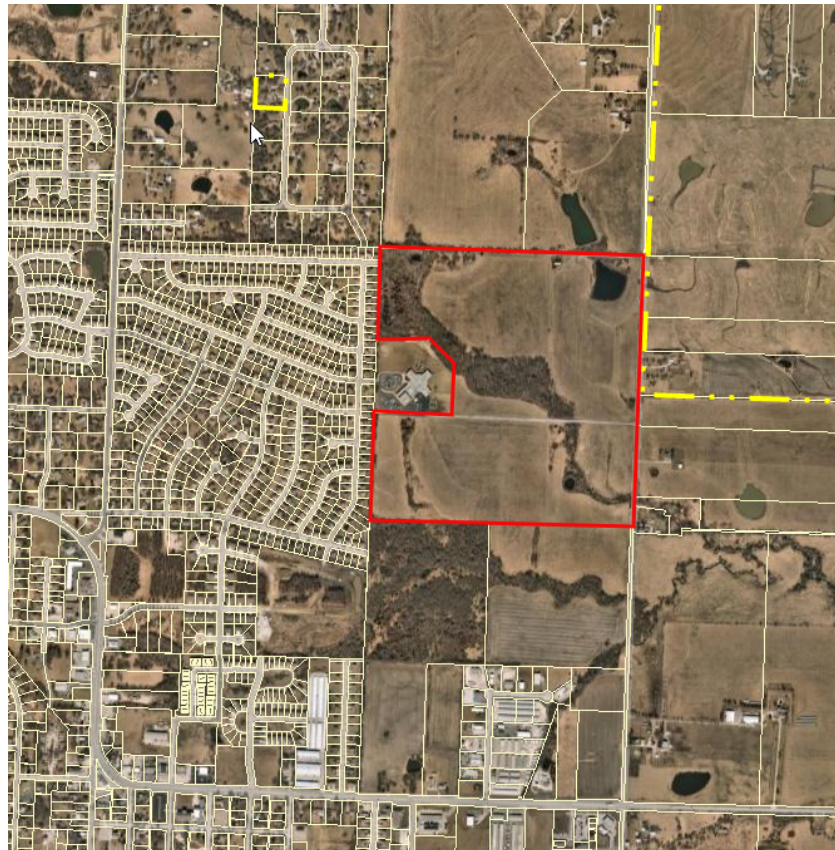
**To:** City Council  
**From:** Planning and Zoning Commission  
**Date:** June 21, 2021  
**Re:** Case #21004: The Prairie at Carroll Farms - Preliminary Plat

## GENERAL INFORMATION

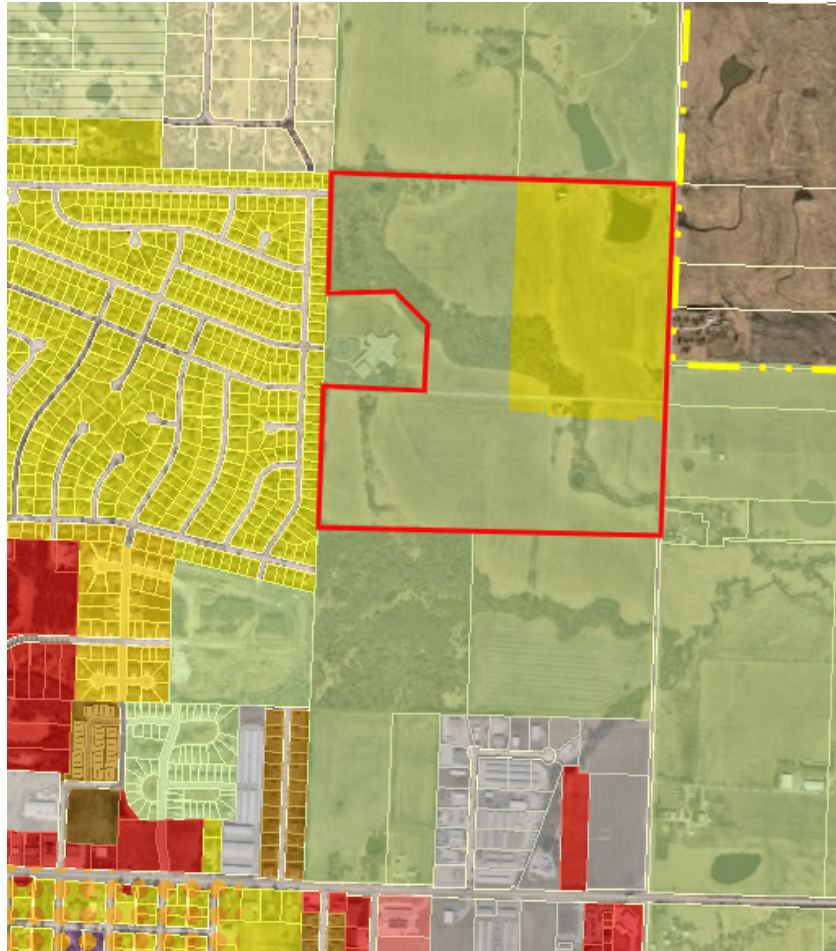
**Applicant/Property Owner:** Danny Carroll  
1100 E Walnut  
Raymore, MO 64083

**Requested Action:** Preliminary Plat Approval for 145 acres

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



**Existing Zoning:** “R-1” Single-Family Residential District & “A” Agriculture District



**Existing Surrounding Zoning:**   **North:**   **A** - Agriculture District  
  **South:**   **A** - Agriculture District  
  **East:**   **A** - Agriculture District & County Zoning  
  **West:**   **R-1** - Single Family Residential District

**Total Tract Size:**                           145 acres

**Total Number of Lots:**                 312 lots & 8 tracts

**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.

**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. Carroll Farms Parkway is classified as a Minor Collector.

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

**Good Neighbor:** April 28, 2021

**Public Hearing:** May 18, 2021 Planning Commission meeting  
June 14, 2021 City Council 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 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. 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.

## **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.



## PARKS AND RECREATION BOARD RECOMMENDATION

At its April 27, 2021 meeting the Raymore Parks and Recreation Board, by a 5-0 vote, recommended approval of the proposed park land dedication of Tract F (11.56 acres) and fee-in-lieu component for the remaining dedication requirement.

The Memorandum of Understanding includes language regarding the requirements for the developer to prepare Tract F, including removal of the existing farm pond, for future use as a park site.

## 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. An application for rezoning the property to the “R-1P” Single-Family Residential Planned District, was filed coincident with this preliminary plat. The preliminary plat has been reviewed based on the rezoning application being approved as presented.
4. The uses permitted in the proposed R-1P district are as follows:

Use	R-1P	Use Standard
<b>RESIDENTIAL USES</b>		
<b>Household Living</b>		
Single-family Dwelling, Detached (conventional)	P	
Manufactured Home Residential – Design	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	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	Section 420.010E
Nursing Care Facility	–	
Transitional Living	–	
Group Living Not Otherwise Classified	C	

<b>PUBLIC AND CIVIC USES</b>		
Cultural Exhibit or Library	C	
Government Buildings and Properties	C	
Place of Public Assembly	C	
Public Safety Services	C	
Religious Assembly	P	

Use	R-1P	Use Standard
<b>School</b>	P	
<b>Utilities</b>		
Major	C	
Minor	P	
<b>COMMERCIAL USES</b>		
<b>Animal Services</b>		
Kennel	–	Section 420.030E
<b>Day Care</b>		
Day Care Home	S	Section 420.030C
<b>Entertainment and Spectator Sports</b>		
Indoor	–	
Outdoor	C	
<b>Funeral and Interment Services</b>		
Cemetery	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	
Indoor	–	
<b>OTHER USES</b>		
<b>Accessory Uses</b>	S	Section 420.050
<b>Agricultural Uses</b>		
Farming	–	
Boarding Stables and Riding Schools	–	Section 420.040A
<b>Home Occupation</b>	S	Section 420.040B
<b>Parking</b>		
Accessory Parking	P	
<b>Wireless Communication Facility</b>		Section 420.040C
Colocated	S	

5. The proposed “R-1P” district development standards are shown below:

R-1P	
<b>Minimum Lot Area</b>	
square feet	7,700
<b>Minimum Lot Width (feet)</b>	70

<b>Minimum Lot Depth (feet)</b>	110
<b>Yards, Minimum (feet)</b>	
front	25
rear	25
rear, adjacent to stream	20
side	7.5ft
side, corner lot	15
<b>Maximum Building Height (feet)</b>	35
<b>Maximum Building Coverage (%)</b>	45

6. 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.
7. The preliminary plat 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”.
8. The preliminary plat request was submitted to the South Metropolitan Fire Protection District for review. No comments were provided.
9. Existing stream buffers throughout the property will be preserved.
10. A sanitary sewer interceptor is located to the south along the stream. This interceptor is sized to support the development of the subdivision. Easements will need to be acquired (applicant owns the affected area) to allow connection of the subdivision to the interceptor.
11. The 2020 General Obligation Bond Issue included funding for improvements to Kurzweil Road. The applicant will be required to install turning lanes into the subdivision in accordance with the traffic study.
12. A Memorandum of Understanding (MOU) has been prepared that outlines the responsibilities of the developer.
13. The existing bus access drive that crosses through the property and provides bus access to the school from Kurzweil Road will be removed. A connection to Carroll Farms Parkway will be made as part of the 1st phase of the subdivision.
14. Sierra Drive will provide a vehicular and pedestrian connection between the proposed subdivision and Cumberland Hills Subdivision to the west. A pedestrian connection will be made between Sierra Drive and the future park on Tract F to allow easy access for residents to the park.

15. A swimming pool and playground are amenities to be provided with the development. The MOU identifies the timeline for when all amenities must be constructed.

## **PLANNING COMMISSION 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 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	May 18, 2021	June 14, 2021
Final Action		June 21, 2021

## **STAFF RECOMMENDATION**

City Staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and forward case #21004 The Prairie at Carroll Farms - Preliminary Plat to the City Council with a recommendation of approval, subject to the following condition:

1. The request to reclassify the zoning of the property to the “R-1P” District must be approved prior to final consideration of the preliminary plat.

## **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 #21004 The Prairie at Carroll Farms - Preliminary Plat to the City Council with a recommendation of approval, subject to the following conditions:

1. The request to reclassify the zoning of the property to the “R-1P” District must be approved prior to final consideration of the preliminary plat.
2. 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.
3. All cul-de-sac islands shall provide run-off treatment. Maintenance of these BMP’s shall be the responsibility of the Developer.

## **CITY COUNCIL ACTION - 6/14/2021**

The City Council, at its June 14, 2021 meeting, voted 7-0 to continue consideration of the application to the June 21, 2021 City Council meeting.

## **CITY COUNCIL ACTION - 6/21/2021**

The City Council, at its June 21, 2021 meeting, voted 7-0 to accept the Planning and Zoning Commission recommendation and approved Case #21004, The Prairie at Carroll Farms Preliminary Plat.