

# RAYMORE PLANNING AND ZONING COMMISSION AGENDA

Tuesday, May 18, 2021 - 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 May 4, 2021 meeting
  - b. Case # 21009: Oak Ridge Farms Final Plat
- 6. Unfinished Business None
- 7. New Business
  - a. Case # 21003: The Prairie at Carroll Farms Rezoning (public hearing)
  - b. Case # 21004: The Prairie at Carroll Farms Preliminary Plat (public hearing)
- 8. City Council Report
- 9. Staff Report
- 10. Public Comment
- 11. Commission Member Comment
- 12. Adjournment

#### **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, and open the public hearing, if applicable.
- 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 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, MAY 4, 2021,** IN THE COUNCIL ROOM AT RAYMORE CITY HALL, 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING COMMISSION MEMBERS PRESENT: CHAIRMAN MATTHEW WIGGINS, WILLIAM FAULKNER, KELLY FIZER, TOM ENGERT, JIM PETERMANN, ERIC BOWIE, MAYOR KRIS TURNBOW, MARIO URQUILLA, AND JEREMY MANSUR. ALSO PRESENT WAS CITY PLANNER KATIE JARDIEU AND ADMINISTRATIVE ASSISTANT EMILY JORDAN..

- **1. Call to Order –** Chairman Wiggins called the meeting to order at 7:07 p.m.
- 2. Pledge of Allegiance
- 3. Roll Call Roll was taken and Chairman Wiggins declared a quorum present to conduct business.
- 4. Personal Appearances None
- 5. Consent Agenda
  - a. Approval of the edited minutes of the April 6th, 2021 meeting.
  - b. Case # 21007: Eastbrooke at Creekmoor Second Plat
  - c. Case # 21008: The Venue of the Good Ranch Final Plat

Commissioner Fizer wanted to make sure that in approving the consent agenda, the two plats listed above would not be coming back before the Commission. City Planner Katie Jardieu confirmed that is correct, although if there are substantial changes to the preliminary plans, they will have to come back before the Commission.

Motion by Commissioner Faulkner, Seconded by Commissioner Petermann, to approve the consent agenda.

#### **Vote on Motion:**

Chairman Wiggins Aye Commissioner Faulkner Aye Commissioner Bowie Aye Commissioner Fizer Aye Commissioner Engert Aye Commissioner Petermann Aye Commissioner Urquilla Abstain Commissioner Mansur Aye Mayor Turnbow Aye

Motion passed 8-0-1.

- 6. Unfinished Business None
- 7. New Business
  - a. Annual GMP Review

City Planner Katie Jardieu gave an overview of the Annual GMP Review, highlighting that the City is doing a larger Strategic Plan initiative that involves the current Land Use Plan is currently being evaluated, and that the City is looking at how to improve business along 58

Highway in the historic section of town, as well as reviewing the annexation plan for the City. Ms. Jardieu also mentioned that the first Van Trust building is nearly finished, creating nearly 500,000 sq ft. of industrial space, making it the first large industrial space in the City of Raymore.

Commissioner Bowie asked for clarification on where the industrial space was located?

Ms. Jardieu clarified that the industrial space is on the east side of 71 Highway, on the south of North Cass Parkway.

#### 8. City Council Report

There was no city council report at this time.

#### 9. Staff Report

There was no additional staff report at this time.

#### 10. Public Comment

No public comment.

#### 11. Commission Member Comment

Commissioner Bowie thanked everyone.

Commissioner Engert thanked everyone for the information, and commented that Centerview is a great city resource that should be better marketed for community utilization.

Commissioner Faulkner thanked the City staff, and commented that it was good to see the whole Commission together again.

Commissioner Fizer thanked Ms. Jardieu, and commented that the landscaping at City Hall looks great.

Commissioner Mansur thanked the City staff.

Commissioner Petermann had no comment for the evening.

Commissioner Urquilla apologized for his absences over the last few meetings, and thanked the City staff.

Mayor Turnbow commented that Watermark is considering building a multi-family unit behind Sam's Club, and that the Planning Commission should expect to get questions about zoning for multi-family complexes at meetings in the future.

Chairman Wiggins thanked the City staff, and mentioned that all Commissioners should try to make the May 18 Planning Commission meeting, as everyone will be needed for voting since there is a public hearing set for that day.

#### 12. Adjournment

## Motion by Commissioner Urquilla, Seconded by Mayor Turnbow, to adjourn the May 4, 2021 Planning and Zoning Commission meeting.

#### **Vote on Motion:**

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

#### Motion passed 9-0-0.

The May 4, 2021 meeting adjourned at 7:35 p.m.

Respectfully submitted,

**Emily Jordan** 



**To:** Planning and Zoning Commission

From: Katie Jardieu, City Planner

**Date:** May 18, 2021

Re: Case #21009: Oak Ridge Farms - Final Plat

## **GENERAL INFORMATION**

Applicant/ Midwest Trading & Acquisitions, LLC

Property Owner: % Sean Seibert

3303 Main Street

Grandview, MO 64030

**Property Location:** Generally the property East of Washington St, South of

Foxwood Dr and North of Jenny Lane.



**Existing Zoning:** PUD Planned Unit Development District

**Existing Surrounding Zoning:** North: R-1 - Single Family Residential District

South: PUD; M-1; R-3A - Planned Unit Development

District; Light-Industrial District; Multiple-Family

Residential District

**East:** A - Agricultural District

**West:** R-2 - Single and Two-Family District

**Existing Surrounding Uses:** North: Single Family

**South:** Single Family; Multi-Family; Storage Units

**East:** Undeveloped **West:** Two-Family Units

**Total Tract Size:** 23.769 acres

**Total Number of Lots:** 57 Lots and 4 Tracts

Density – units per Acre: 2.16

**Growth Management Plan:** The Future Land Use Map of the current Growth Management Plan designates this property as appropriate for low density residential development.

**Major Street Plan:** The Major Thoroughfare Plan Map classifies Pine Street and Franklin Street, south of Pine Street, as collector roads.

**Advertisement:** City Ordinance does not require advertisement for Final Plats.

**Public Hearing:** City Ordinance does not require a public hearing for Final Plats

#### PROPOSAL

Outline of Requested Action: The applicant seeks to obtain Final Plat approval for Oak Ridge Farms, Final Plat - Lots 1-57 and Tracts A, B, C, & D

<u>City Ordinance Requirements</u>: In order for the applicant to accomplish the aforementioned action they must meet the provisions of the Unified Development Code. Chapter 470 of the Unified Development Code outlines the requirements and actions that need to be taken in order to final plat property, specifically, Section 470.130.

## PREVIOUS ACTIONS ON OR NEAR THE PROPERTY

- The property was rezoned to PUD Planned Unit Development District in September 2020. The rezoning to PUD included approval of the preliminary plan and a signed Memorandum of Understanding (MOU).
- 2. The required parkland dedication is being met through a public trail around the detention pond along with benches throughout the trail.
- 3. A landscape buffer located within the Common Area of Tract C, south of lot 38, is required as part of the Memorandum of Understanding.

### ENGINEERING DIVISION COMMENTS

The Engineering Division indicated the proposed final plat complies with the design standards of the City of Raymore and recommends approval of the final plat.

## STAFF COMMENTS

1. The current bulk and dimensional standards for this PUD- Planned Unit Development zoning district, established by the Oak Ridge Farms rezoning and MOU, recorded on October 14, 2020, are as follows:

	PUD
Minimum Lot Area	
per lot	6,480
per dwelling unit	-
Minimum Lot Width (feet)	48 ft
Minimum Lot Depth (feet)	105 ft
Yards, Minimum (feet)	
front	30
rear	30
side	6.25
side, corner lot	25
Minimum Building Separation	5
Maximum Building Height (feet)	35
Maximum Building Coverage (%)	45

- 2. The duplex style homes allow for an extension of the previous Oak Ridge Farms with the addition of single family homes as another option for renters within the Raymore community.
- 3. Yard trees shall be provided at a rate of one tree per dwelling unit. Corner lots will provide one tree for each front yard.

- 4. The eight-foot trail around the stormwater pond in Tract C is required to be completed prior to the issuance of any Certificates of Occupancy in the subdivision phase.
- 5. The terms of the recorded Memorandum of Understanding remain in effect.
- 6. The developer intends to continue the same architectural style of the buildings that exists in the two-family dwelling units constructed in the first two phases of Oak Ridge Farms.
- 7. The subdivision plat contains right-of-way for the future construction of a cul-de-sac at the northern terminus of Crest Drive in the Falcon Crest Subdivision. The City will be responsible for the construction of the cul-de-sac.
- 8. The subdivision plat provides street connections to the Ramblewood Subdivision (Franklin Street) to the south and to the Cumberland Hills Subdivision to the north (Crest Drive).

## STAFF PROPOSED FINDINGS OF FACT

Section 470.130 of the Unified Development Code states that the Planning and Zoning Commission will recommend approval and the City Council will approve the final plat if it finds the final plat:

1. is substantially the same as the approved preliminary plat;

The proposed final plat is substantially the same as the approved preliminary plan.

2. complies with all conditions, restrictions and requirements of this Code and of all other applicable ordinances and design standards of the City; and;

The proposed final plat does comply with all conditions, restrictions and requirements of the Unified Development Code and all other applicable ordinances and design standards for the City.

3. complies with any condition that may have been attached to the approval of the preliminary plat.

The proposed plat complies with the conditions of the Memorandum of Understanding that was attached to the approval of the preliminary plat.

## REVIEW OF INFORMATION AND SCHEDULE

Action Planning Commission City Council 1st City Council 2nd May 18, 2021 May 24, 2021 June 14, 2021

## STAFF RECOMMENDATION

Staff recommends that the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case #21009: Oak Ridge Farms - Final Plat to the City Council with a recommendation of approval.



## **Development Agreement**

For

Oak Ridge Farms Final Plat Lots 1 thru 57 and Tracts A, B, C & D

Legal Description Contained on Page 2

Between Midwest Trading & Acquisitions, LLC,
Grantor and
City of Raymore, Grantee
100 Municipal Circle
Raymore, MO 64083

June 14, 2021

#### **DEVELOPMENT AGREEMENT**

THIS AGREEMENT MADE THIS 14<sup>th</sup> day of June, 2021 by and between, **Midwest Trading & Acquisitions, LLC** hereinafter referred to as "Sub-divider" and the City of Raymore, Missouri, a Municipal Corporation, hereinafter referred to as "City".

WHEREAS, Sub-divider seeks to obtain approval from the City for a subdivision to be known as **Oak Ridge Farms Lots 1 through 57 and Tracts A, B, C & D** which is located in the City of Raymore, Cass County, Missouri, and;

WHEREAS, the Sub-divider, herein defined, agrees to assume all subdivision development obligations of the City as described in this agreement, and;

WHEREAS, the City desires to ensure that the Sub-divider will accomplish certain things in order to protect the public health, safety and welfare.

NOW, THEREFORE, in consideration of the promises and covenants herein set forth, and receipt by the City of fees and costs as stated herein, the parties agree as follows:

#### **GEOGRAPHIC LOCATION:**

1. The terms of this agreement apply to the following property and all portions thereof: Oak Ridge Farms Lots 1 through 57 and Tracts A, B, C & D

A tract of land being part of the Northwest Quarter of Section 15, Township 46 North, Range 32 West, in the City of Raymore, Cass County, Missouri, being more particularly described as follows:

Commencing at the Northeast corner of said Northwest Quarter; Thence South 02°12'02" West, along the East line of said Northwest Quarter, 476.21 feet to the Point of Beginning; Thence South 02°12'02" West, continuing along said East line, 853.46 feet to the Southeast corner of the Northeast Quarter of said Northwest Quarter, said point also being the Northeast corner of, FALCON CREST, a subdivision in said Raymore, Cass County, Missouri,; Thence North 88°03'55" West, along the North line of said FALCON CREST and its prolongations thereof, 527.76 feet to the Northeast corner of RAMBLEWOOD AT JETER FARM, a subdivision in said Raymore, Cass County, Missouri; Thence North 88°09'22" West, along the north line of said RAMBLEWOOD AT JETER FARM, 535.84 feet to the Southeast corner of HERITAGE HILLS LOT 158 THRU 175, a subdivision in said Raymore, Cass County, Missouri; Thence North 01°54'30" East, along the East line of said HERITAGE HILLS, 418.91 feet to the Southeast corner of HERITAGE HILLS LOTS 136 THRU 157, a subdivision in Raymore, Cass County, Missouri; Thence North 00°28'36" East, along said east line of HERITAGE HILLS, 490.59 feet to the Northeast corner of Lot 147, said HERITAGE HILLS; Thence North 14°10'25" East, continuing along said East line, 175.20 feet to the Northeast corner of said HERITAGE HILLS, said point also being on the South line of, HERITAGE HILLS LOTS 193 THRU 228,a subdivision in said Raymore, Cass County, Missouri; Thence South 75°49'35" East, along said South line and the South line of, CUMBERLAND HILLS SOUTH SECOND PLAT, a subdivision in said Raymore, Cass County, Missouri, 1067.35 feet to the Point of Beginning. Contains 1,035,371 square feet or 23.769 acres.

#### REQUIRED IMPROVEMENTS:

- 1. In accordance with the policies and ordinances of the City, the public improvements described herein shall be constructed and installed on the terms and conditions hereinafter contained. Public improvements within the Subdivision will be installed in accordance with the City of Raymore Standard Contract Documents and Technical Specifications & Design Criteria for Utility and Street Construction dated December 2017.
- 2. The public improvements are to be designed and installed at the Sub-divider's expense by the Sub-divider and are hereinafter referred to as "Improvements".
- 3. It shall be the obligation of the Sub-divider to furnish to the City plans and specifications for construction of the Improvements. Before any construction is commenced, the City Public Works Director shall approve plans and specifications for the Improvements. Once the City Public Works Director has approved the plans, any changes to the plans must be submitted to the City Public Works Director for approval.
- 4. The Sub-divider shall submit the appropriate grading/site/erosion control plan including appropriate sidewalk, meter elevations, and manhole elevations to the City Public Works Director for approval for development of the project. Before any construction is commenced within that phase, the City Public Works Director must approve plans for all required Improvements. It shall be the Sub-divider's responsibility to assure compliance with grading plans.
- 5. The Sub-divider shall provide a copy of all required State and Federal permits to the City Public Works Director prior to issuance of any City permits.
- 6. The Sub-divider shall provide and pay for all engineering and surveying necessary to design and construct the Improvements. The Sub-divider shall pay for all other engineering and surveying necessary to design and construct other improvements to the property.

#### INSTALLATION AND MAINTENANCE

- 1. Prior to the issuance of building permits, the Sub-divider shall install all Improvements as shown on approved engineering plans of said subdivision and the City Council shall have accepted by Resolution all Improvements.
- 2. The Sub-divider shall be responsible for the maintenance of the Improvements for a period of two years after acceptance thereof by the City, in accordance with the City specifications and policies.

- 3. The Sub-divider agrees to provide the City of Raymore "as-built" plans for all Improvements as indicated on the aforementioned plans. Said plans shall be considered a part of the Improvements, for the purpose of acceptance by the City.
- 4. Prior to acceptance of the Improvements a waiver of mechanic's lien shall be submitted to the City. The Sub-divider will indemnify and save the City harmless from all claims growing out of the lawful demands of subcontractors, laborers, workers, mechanics, and furnishers of machinery and parts thereof, equipment, tools, and all suppliers, incurred in the furtherance of the performance of the work. The Sub-divider shall, at the City's request, furnish satisfactory evidence that all obligations of the nature designated above have been paid, discharged or waived.

#### FEES, BONDS & INSURANCE

- 1. The Sub-divider agrees to pay to the City a 1% Plan Review Fee and 5% Construction Inspection Fee based on the project engineer's estimate or contract development costs of all Improvements as shown on approved engineering plans of said subdivision. The City Public Works Director shall review and determine that the costs, as presented, are reasonable. A list of these fees is provided in Attachment A.
- 2. The Sub-divider agrees to indemnify the City with a Certificate of Insurance as required in the Unified Development Code of the City of Raymore.
- 3. The Sub-divider agrees to furnish performance bonds as required in the Unified Development Code of the City of Raymore.
- 4. Prior to acceptance of Improvements within said subdivision, Sub-divider will provide a guarantee in the form of a Maintenance Bond that is satisfactory to the City Public Works Director. This guarantee shall be based on 50% of the cost of all Improvements shown on approved engineering plans and shall be for a period of two years after acceptance by the City.
- 5. The Sub-divider agrees to submit a street light plan for City approval and pay the cost of providing and installing the streetlights in accordance with the approved street light plan. The required street lights shall be installed and shall be operational prior to the acceptance of the Improvements for the subdivision.
- 6. The Sub-divider agrees to pay to the City a \$9 per acre fee for the placement and maintenance of outdoor warning sirens. The cost of these fees is provided in Attachment A.

- 7. Per Ordinance #20004, the license (excise) tax for building contractors will be charged at the time of building permits at the applicable rate at the time each building permit application is approved.
- 8. The Sub-divider, in the interest of the general health, welfare and safety of the Citizens of Raymore, agrees to have installed, at their cost, any traffic control devices determined to be necessary by City Staff (410.340). The technical specifications and design criteria are set forth in Public Works Department Policies 120 thru 122 and 129, Street Signage and Traffic Control Devices. The improvement must be installed prior to the City releasing any building permits.
- 9. The Sub-divider, in the interest of the general health, welfare and safety of the Citizens of Raymore, agree to have installed, at their cost, all required street name signage determined to be necessary by City Staff (410.340). The technical specifications and design criteria are set forth in Public Works Department Policies 120 thru 122 and 129, Street Signage and Traffic Control Devices. The improvement must be installed prior to the City releasing any building permits.

#### ADDITIONAL REQUIREMENTS

- 1. The Sub-divider agrees to comply with the regulations and policies of the utility companies having facilities within the City limits.
- 2. The Sub-divider agrees to install a landscape buffer within Common Area Tract C, located south of Lot 38 and southwest of the stormwater detention pond, prior to the issuance of a Certificate of Occupancy for a home on Lot 38.
- 3. The Sub-divider shall install an eight-foot wide sidewalk across all lots on the south side of Pine Street.
- 4. A five-foot wide sidewalk shall be installed across Tract A prior to the issuance of a Certificate of Occupancy for a home on Lot 37.
- 5. A five-foot wide sidewalk shall be installed across Tract B prior to the issuance of a Certificate of Occupancy for a home on Lot 54.
- 6. The Sub-divider shall install an eight-foot trail around the stormwater pond in Tract C, including connections of the trail to the sidewalks along Franklin Street and Pine Street, prior to the issuance of any Certificates of Occupancy. The trail shall be maintained by the Property Owner's Association.
- 7. The stormwater management infrastructure shall be installed and operational prior to the issuance of a Certificate of Occupancy for any applicable or affected building.
- 8. A Stormwater Maintenance Agreement shall be submitted addressing the perpetual maintenance of all stormwater management infrastructure.

#### **GENERAL PROVISIONS**

- 1. The parties agree that execution of this agreement in no way constitutes a waiver of any requirements of applicable City ordinances with which the Sub-divider must comply and does not in any way constitute prior approval of any future proposal for development.
- 2. The covenants herein shall run with the land described in this agreement and shall be binding and ensure to the benefit of the parties hereto and their successors or assigns and on any future and subsequent purchasers.
- 3. This agreement shall constitute the entire agreement between the parties and any modification hereof shall be in writing, subject to the approval of the parties.
- 4. If, at any time, any part hereof has been breached by Sub-divider, the City may withhold approval of any or all building permits applied for in the subdivision, until breach or breaches has or have been cured.
- 5. This agreement shall be recorded by the Sub-divider and its covenants shall run with the land and shall bind the parties, their assigns and successors in interest and title.
- 6. Any provision of this agreement which is not enforceable according to law will be severed herefrom and the remaining provisions shall be enforced to the fullest extent permitted by law.
- 7. The undersigned represent that they each have the authority and capacity from the respective parties to execute this Agreement. This Agreement shall not be effective until approved by ordinance duly enacted by the City Council of the City of Raymore, Missouri.
- 8. The Sub-divider hereby warrants and represents to the City as inducement to the City's entering into this Agreement, that the Sub-divider's interest in the Subdivision is as a fee owner.
- 9. The Sub-divider and City acknowledge the Memorandum of Understanding for Oak RIdge Farms Subdivision, executed by both parties and approved by City Council on September 28, 2020 remains in effect.
- 10. Whenever in this agreement it shall be required or permitted that Notice or demand be given or served by either party to this agreement to or on the other party, such notice or demand shall be delivered personally or mailed by certified United States mail (return receipt requested) to the addresses hereinafter set forth. Such notice or demand shall be deemed timely given when delivered personally or when deposited in the mail in accordance with the above.

If to the City, at: If to the Sub-divider, at:

City Manager Sean Seibert.

100 Municipal Circle 33030 Main Street.

Raymore, MO 64083 Grandview, MO 64303

11. The Sub-divider acknowledges that this plat will expire within one year of the date the Raymore City Council approves an ordinance approving the final plat for **Oak Ridge Farms Lots 1 through 57 and Tracts A, B, C & D**; and that failure for any reason to record the plat does not obligate the City to re-approve the plat no matter what improvements may have been completed in furtherance of the current plat known as **Oak Ridge Farms Lots 1 through 57 and Tracts A, B, C & D**.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first written above.

(SEAL)	THE CITY OF RAYMORE, MISSOURI
	Jim Feuerborn, City Manager
Attest:	
Erica Hill, City Clerk	Sub-divider – Signature
	SERV SIEBERI Printed Name
	Sub-divider – Signature
	Printed Name
Subscribed and sworn to me on this the day of	Stamp:
State of	My Commission Expires: 3-18-22



Casa County
Commission #14436032

## **Attachment A**

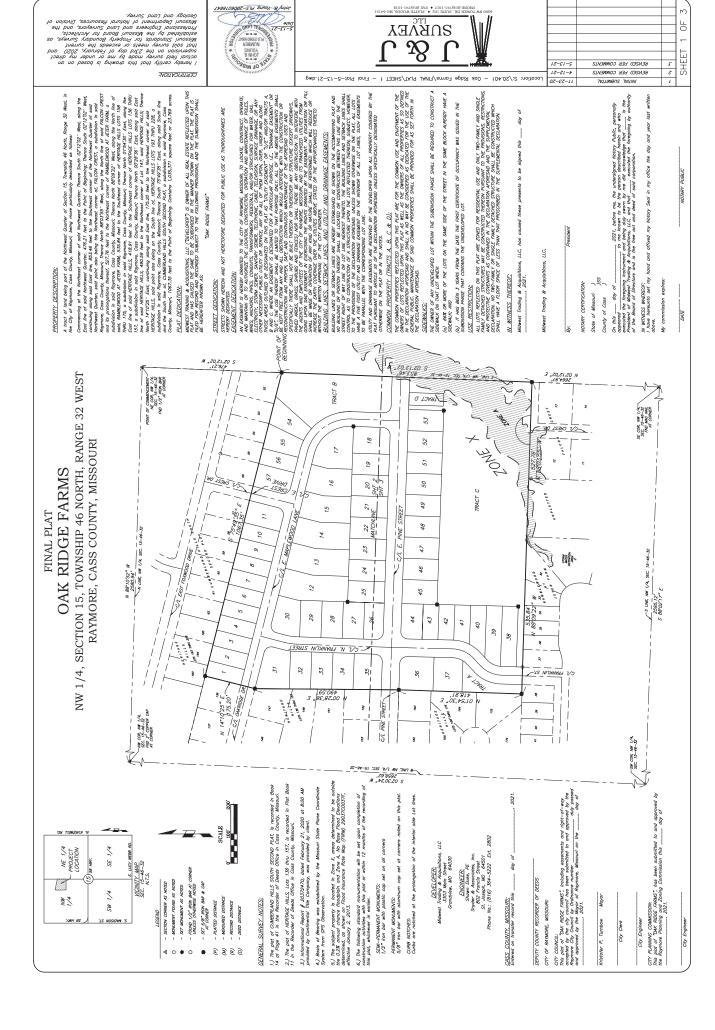
#### FEE CALCULATION FOR OAK RIDGE FARMS

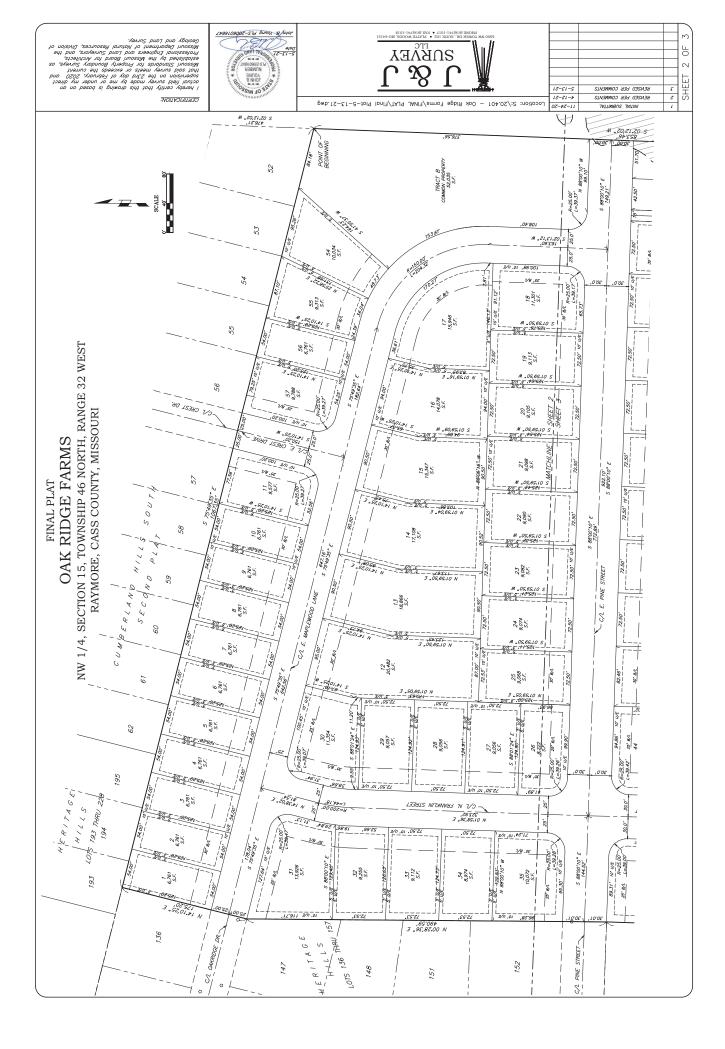
Total Cost for 'New' Public Improvements: \$353,100

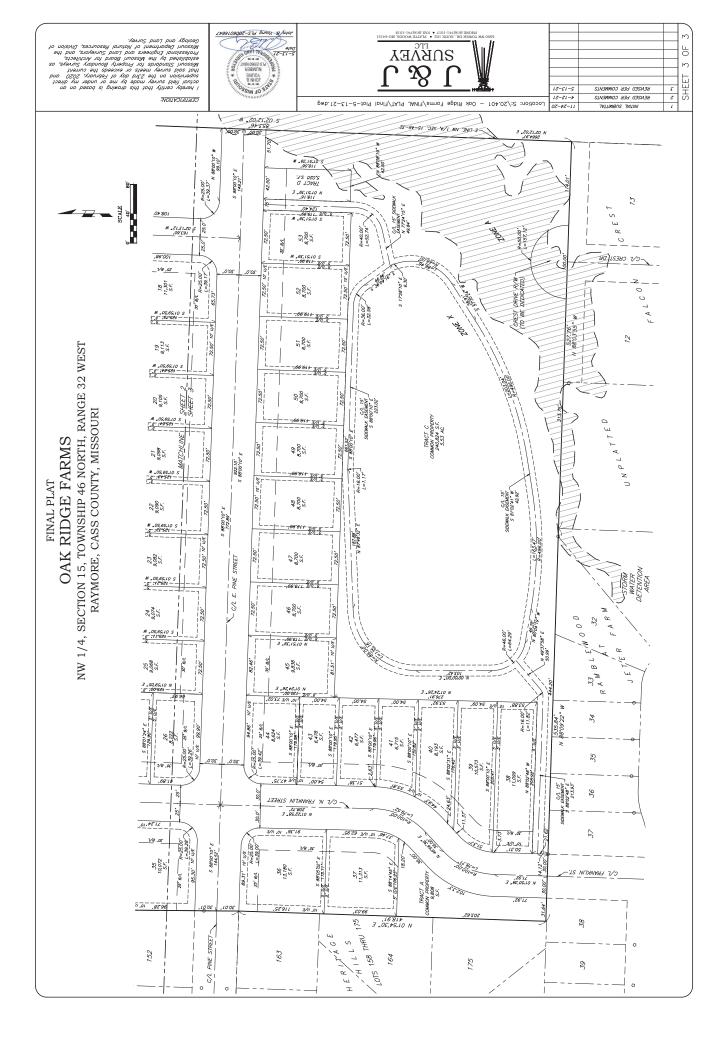
All fees and deposits shall be paid prior to recording the final plat. The land disturbance permit fee and erosion control financial security deposit shall be paid prior to commencement of any land disturbance activity (site grading), or if no land disturbance activity started prior to recording of final plat, paid at time of recording final plat.

1	Land Disturbance Permit Fee. [455.010B]			
	01-00-4170-0000	\$500.00		
	If fee paid prior to recording of plat, receipt #			
	*must be paid prior to issuance of a land disturbance permit			
2	Erosion Control Financial Security Deposit: Developer shall provide financial security for			
	erosion control in the amount of \$1,000 per acre. The first \$5,000 of the financial security	\$PAID		
	must be by cash deposit to the City. [455.010F]			
	60-00-2811-0000			
	If deposit paid prior to recording of plat, receipt#			
	*must be paid prior to issuance of a land disturbance permit			
	Additional erosion control financial security (The remaining deposit above the first \$5,000	\$PAID		
	due can be paid in cash) [455.010F]: (23.0 ac. total disturbed)			
	If deposit paid prior to recording of plat, receipt#			
	If letter of credit submitted:			
	financial institution:			
	renewal date of letter of credit:			
	*must be paid prior to issuance of a land disturbance permit			
3	Infrastructure Construction Plan Review Fee: An amount equal to one percent (1%) of the	\$3,531.00		
	estimated public improvement costs performed by the developer. [445.020H1]			
	01-00-4182-0000			
L.	*must be paid prior to issuance of a construction permit			
4	Infrastructure Construction Inspection Fee: An amount equal to five percent (5%) of the	\$17,686.00		
	estimated public improvement costs performed by the developer. [445.020H2]			
	01-00-4165-0000			
-	*must be paid prior to issuance of a construction permit			
5	Emergency Outdoor Warning Siren Fee: \$9.00 per acre (23.769 acres)	\$213.92		
	[Schedule of Fees and Charges]			
	01-00-4185-0000			

TOTAL FEES TO BE PAID PRIOR TO RECORDING PLAT	\$213.92
TOTAL FEES TO BE PAID PRIOR TO ISSUANCE OF A LAND	
DISTURBANCE PERMIT	\$PAID
TOTAL FEES TO BE PAID PRIOR TO ISSUANCE OF A	
CONSTRUCTION PERMIT FOR PUBLIC IMPROVEMENTS	\$PAID









**To:** Planning and Zoning Commission

**From:** Katie Jardieu, City Planner

**Date:** May 18, 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

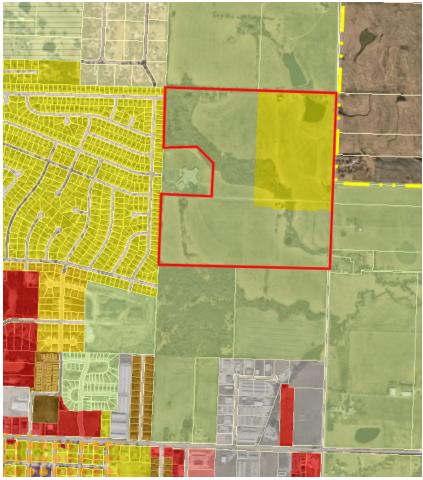
Planned District

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

Heritage Hills Subdivision







**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

**Public Hearing:** May 18, 2021 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 145 <u>+</u> 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 Planed 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	Α	R-1	Use Standard
RESIDENTIAL USES			
Household Living			
Single-family Dwelling, Detached	Р	Р	
(conventional)			
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	Р	_	
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	-	С	
PUBLIC AND CIVIC USES			
Cultural Exhibit or Library	С	С	
Government Buildings and Properties	С	С	
Place of Public Assembly	С	С	
Public Safety Services	С	С	
Religious Assembly	Р	Р	

Use	Α	R-1	Use Standard
School	Р	Р	
Utilities			
Major	С	С	
Minor	Р	Р	
COMMERCIAL USES			
Animal Services			
Kennel	С	-	Section 420.030E
Day Care			
Day Care Home	S	S	Section 420.030C
Entertainment and Spectator Sports			
Indoor	С	-	
Outdoor	С	С	
Funeral and Interment Services			
Cemetery	С	С	
Funeral Home	-	-	
Lodging			
Bed and Breakfast		-	Section 420.030H
Medical Marijuana Cultivation Facility	Р	-	Section 420.030N
Sports and Recreation, Participant			
Outdoor	С	С	
Indoor	_	_	
OTHER USES			
Accessory Uses	S	S	Section 420.050
Agricultural Uses			
Farming	Р	_	
Boarding Stables and Riding Schools	С	_	Section 420.040A
Home Occupation	S	S	Section 420.040B
Parking			
Accessory Parking	Р	Р	
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,	7.5ft
	min 7ft	
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	n Flements and Amenities
Housing Diversity.	in Liomonia and Amonitos
	esidential 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:  Recessed, front-loaded (a minimum 8-foot setback from front façade)  Rear-loaded  Side-loaded, or  Detached garages
Residential Amenities.	
	esidential component must provide at least one amenity from each group installed at the
same time as the public improv	· · · · · · · · · · · · · · · · · · ·
Group 1 Active Recreation	Golf course
Amenities	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	Playground/tot lot
Amenities	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
	Gazebo
Group 3 Natural Features and Open Space Amenities	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 445.030I.4
	Public art such as sculptures located within common open space

	Street trees	
Nonresidential Amenities.		
Developments that include a no	onresidential component must provide at least 3 of the following amenities:	
Public Enhancements and	Public plaza that includes seating areas and is at least 3,000 square feet in area	
Streetscape Features 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		

- 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.

## 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:

 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.

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

ActionPlanning CommissionCity Council 1stCity Council 2ndPublic HearingMay 18, 2021June 14, 2021June 28, 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.





#### Memorandum

**TO:** Planning and Zoning Commission

FROM: Michael Krass, Director of Public Works & Engineering

**DATE:** May 18, 2021

**RE:** The Prairie at Carroll Farms - Preliminary Plat & Rezoning

The Engineering Division has reviewed the above referenced development plan and offers the following comments.

**Project Location:** The development is located west of Kurzweil Road and east of Cumberland Hills and Heritage Hills subdivisions

**Sanitary Sewer System** - The project will be served by an existing gravity sewer extensions from the Cumberland Hills and Heritage Hills subdivisions along N Crest Drive.

**Water System** - The project is served by existing water main and by the extension of a trunk water main along Sierra Drive and water main that runs along the western edge of the property. There is sufficient flow for the development.

**Storm Water System/Water Quality** - The development proposes to control runoff through a combination of underground conduits and detention basins.

**Transportation** - The site will be served by a local road network and by the extension of Sierra Drive. Turn lanes will also be added to Kurzweil Road to enter the subdivision. The existing and proposed transportation system has adequate capacity to support this development.





## **Summary**

The Engineering Division requests the Planning and Zoning Commission include the following two conditions as part of the Preliminary Plat Approval.

- 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.



**To:** Planning and Zoning Commission

From: Katie Jardieu, City Planner

**Date:** May 18, 2021

Re: Case #21004: The Prairie at Carroll Farms - Preliminary Plat

# **GENERAL INFORMATION**

**Applicant/Property Owner:** Danny Carroll

1100 E Walnut

Raymore, MO 64083

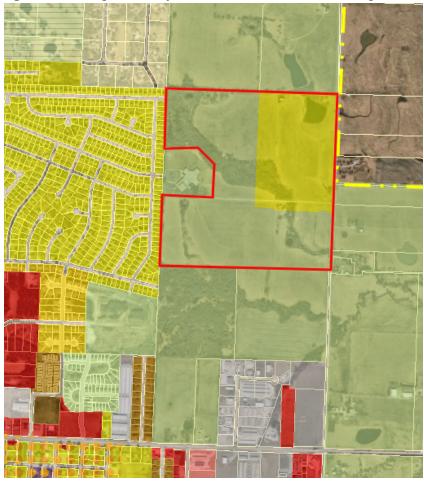
**Requested Action:** Preliminary Plat Approval for 145 acres

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

Heritage Hills Subdivision







**Existing 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

Good Neighbor: April 28, 2021

**Public Hearing:** May 18, 2021 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

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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

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**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
RESIDENTIAL USES		
Household Living		
Single-family Dwelling, Detached	Р	
(conventional)		
Manufactured Home Residential – Design	S	Section 420.010D
Single-family Dwelling, Attached	_	Section 420.010A
Two-family Dwelling (Duplex)	ı	
Multi-family Dwelling (3+ units)	ı	Section 420.010A
Apartment Community	ı	Section 420.010A
Cluster Residential Development	S	Section 420.010B
Manufactured Home Park	ı	Section 420.010C
Employee Living Quarters	_	
Accessory Dwelling, Attached	S	Section 420.050E
Accessory Dwelling, Detached	S	Section 420.050E
Group Living		
Assisted Living	_	
Group Home	S	Section 420.010E
Nursing Care Facility	_	
Transitional Living	_	
Group Living Not Otherwise Classified	С	

PUBLIC AND CIVIC USES		
Cultural Exhibit or Library	С	
Government Buildings and Properties	С	
Place of Public Assembly	С	
Public Safety Services	С	
Religious Assembly	Р	

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

# 5. The proposed "R-1P" district development standards are shown below:

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

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

- 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.

## 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 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

ActionPlanning CommissionCity CouncilPublic HearingMay 18, 2021June 14, 2021Final ActionJune 28, 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.



# Memorandum of Understanding for

The Prairie at Carroll Farms

Legal Description Contained on Pages 2-3

**Between Danny Carroll, Grantor,** 

and

City of Raymore, Grantee 100 Municipal Circle Raymore, MO 64083

June 28, 2021

#### MEMORANDUM OF UNDERSTANDING

The Prairie at Carroll Farms

THIS MEMORANDUM OF UNDERSTANDING ("MOU") FOR THE DEVELOPMENT OF THE PRAIRIE AT CARROLL FARMS SUBDIVISION is made and entered into this 28th day of June, 2021, by and between Danny Carroll ("Sub-Divider") also being referred to herein as "Grantors"; and the City of Raymore, Missouri, a Municipal Corporation and Charter City under the laws of the State of Missouri ("City").

WHEREAS, Sub-Divider seeks to obtain approval from the City for a subdivision to be known as The Prairie at Carroll Farms, proposed to be located in the City of Raymore, Cass County, Missouri, and;

WHEREAS, Sub-Divider agrees to assume all subdivision development obligations of the City as described in this agreement; and,

WHEREAS, the City desires to ensure that Sub-Divider will accomplish certain things in order to protect the public health, safety and welfare.

NOW, THEREFORE, in consideration of the promises and covenants herein set forth, and receipt by the City of fees and costs as stated herein, the parties agree as follows:

#### **GEOGRAPHIC LOCATION:**

The provisions of this MOU shall apply to the following described property:

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.

#### PRELIMINARY PLAT

1. Sub-Divider intends to develop the entire property as a single-family subdivision in the manner shown on the Preliminary Plat, attached and incorporated herein as Exhibit A.

#### 2. Zoning and Land Use

a. The zoning for the entire property shall be "R-1P" Single-Family Residential Planned District.

#### b. Land Use

- 1. Detached Single-Family Dwellings, as defined by Section 485.010 of the Unified Development Code, shall be permitted on all lots, subject to compliance with any special conditions.
- 2. Accessory uses, including swimming pools, community clubhouses, playgrounds or other passive/active recreation items shall be permitted within common or open space areas.

#### 3. Bulk and Dimensional Standards Table:

The following bulk and dimensional standards are established for each lot in the development:

Minimum Lot Area	7.700 sq. ft.
Minimum Lot Width	70 feet
Minimum Lot Depth	110 feet
Minimum Front Yard	25 feet
Minimum Rear Yard	25 feet
Minimum Rear Yard adjacent to a stream	20 feet
Minimum Side Yard (Interior)	7.5 feet
Minimum Side Yard (Exterior)	15 feet
Maximum Building Height	35 feet

Maximum Building Coverage	45%	
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#### 4. Landscaping & Screening

- a. A landscape screen shall be provided in a common area tract for any lot with side or rear yard frontage along Kurzweil road. A landscape plan shall be submitted with the application for final plat approval that includes any of these lots.
- b. All required landscaping shall be installed prior to the issuance of any certificate of occupancy for the applicable building.

#### 5. Parking

a. Off-street Parking shall be provided for each lot as follows:

Use	Minimum Parking Spaces Required
Single Family Dwelling	2 spaces per dwelling unit

b. Off-street parking shall be provided at the swimming pool/playground area coincident with the construction of the pool or playground area.

#### PHASING SCHEDULE

- 1. The Preliminary Plat is being approved with a defined phasing plan.
- 2. The Sub-Divider, with the approval of the Planning and Zoning Commission, may revise the phasing plan when submitting final plats.

#### FINAL PLATS

- 1. Sub-Divider may submit final plats and associated construction drawings to the City in phases.
- 2. Each final plat must comply with the bulk and dimensional standards included in this MOU.
- 3. Final plats shall be submitted in accordance with the Unified Development Code.

#### TRANSPORTATION IMPROVEMENTS

#### 1. Road Improvements

- a. Carroll Farms Parkway shall be constructed as a residential collector with a sixty foot (60') right-of-way and pavement width of thirty-two feet (32') back of curb to back of curb.
- b. All other roads within the subdivision shall be constructed as local roads with a fifty foot (50') right-of-way.
- c. Forty feet (40') of right-of-way shall be provided for Kurzweil Road.
- d. Left-turn and right-turn lanes shall be provided on Kurzweil Road for the intersections at Carroll Farms Parkway and at Wild Rye Drive. The improvements shall be made at the time the road connections to Kurzweil Road are made.
- e. The internal roadways serving the development shall be built to City standards to be accepted by the City. Once the roadways are accepted by the City Council, the City will assume maintenance responsibilities of the roadways.
- f. The connection of Carroll Farms Parkway between Sage Grouse Drive and Sierra Drive shall be constructed as part of the installation of public improvements with the construction of Phase 9 or Phase 10, whichever phase is completed first.

#### 2. Pedestrian Improvements

- a. A ten-foot (10') trail is required along the west side of Carroll Farms Parkway. The trail shall be constructed at the time Carroll Farms Parkway is constructed. A five-foot (5') sidewalk is required along the east side of Carroll Farms Parkway.
- b. A five-foot (5') sidewalk is required on all lots and common areas within the subdivision, and shall be constructed prior to the issuance of a Certificate of Occupancy for the building(s), unit(s), or amenities the sidewalk is intended to serve.
- c. A five-foot (5') sidewalk shall be constructed as part of the installation of public improvements by the Sub-Divider on the common area tracts contained within a phase for which public

improvements are being installed.

d. A ten foot (10') trail is required within a common area tract to provide connection between Wild Rye Drive and the park land tract. The trail segment shall be constructed at the time Wild Rye Drive is constructed.

#### SANITARY SEWER IMPROVEMENTS

- 1. Sanitary sewer service shall be provided to each lot by the Sub-Divider. The line shall extend to the exterior perimeter property line of the development to provide service to adjacent properties.
- 2. All public improvements shall be installed in accordance with City standards. Before the installation of any sanitary sewer system improvements, the Sub-Divider shall have the engineering plans approved by the MoDNR and the City of Raymore.
- 3. The sanitary sewer shall be of sufficient size and depth to serve the tributary area identified in the City's Comprehensive Sewer Plan.
- 4. All improvements must be approved by the City, constructed to City standards, and inspected by the City; and Sub-Divider agrees to dedicate easements to the City in compliance with City standards for utility easements.

#### WATER MAIN IMPROVEMENTS

- 1. The existing twelve inch (12") water main along the west side of Kurzweil Road shall be extended north along Kurzweil Road to the north property line of the subdivision. The City oversizing policy would be applicable for this water main extension.
- 2. Water service shall be provided to each lot by the Sub-Divider. The line shall extend to the exterior perimeter property line of the development to provide service to adjacent properties.
- 3. All public improvements shall be installed in accordance with City standards. Before the installation of any water system improvements, the Sub-Divider shall have the engineering plans approved by the MoDNR and the City of Raymore.

4. All improvements must be approved by the City, constructed to City standards, and inspected by the City; and Sub-Divider agrees to dedicate easements to the City in compliance with City standards for utility easements.

#### STORMWATER IMPROVEMENTS

- 1. On-site stormwater management shall be completed in accordance with the stormwater management study approved as part of the Preliminary Plat.
- 2. A final stormwater management plan is required to be submitted at the time public infrastructure construction plans are submitted for all the land area contained within the final plat.
- Stormwater management infrastructure shall be installed and operational prior to the issuance of a Certificate of Occupancy for any applicable or affected building.
- 4. Storm Water Quality BMPs shall be incorporated into the stormwater management plan in accordance with Chapter 450 of the Unified Development Code.
- 5. A Stormwater Maintenance Agreement shall be submitted addressing the perpetual maintenance of all stormwater management infrastructure.

#### STREAM ASSESSMENT

 A jurisdictional determination letter from the Army Corps of Engineers shall be submitted prior to the installation of any public improvements. If necessary, the Preliminary Plat shall be amended to ensure compliance with the determination letter.

#### **OPEN SPACE AND AMENITIES**

- 1. Private open space and amenities shall be provided in accordance with the approved Preliminary Plat. All privately owned open space, common area, or amenity shall be constructed and maintained by the Sub-Divider.
- 2. The following amenities are to be provided:
  - a. Swimming Pool

- b. Playground
- c. Trail access to park land
- 3. The swimming pool and playground shall be constructed no later than with the installation of public improvements for the 3rd phase of the subdivision.
- 4. The swimming pool shall be at least 1,000 square feet in size.

#### SIGNAGE

1. Subdivision entrance markers are permitted for the development in accordance with Chapter 435 of the Unified Development Code.

#### **FLOODPLAIN**

- 1. No portion of any platted lot shall encroach into the Federal Emergency Management Agency (FEMA) floodplain or the 100-year flood elevation for areas not identified as special flood hazard areas. Common area tracts are allowed to encroach into the floodplain.
- 2. No land disturbance activities or removal of any trees shall occur within the floodplain area except for:
  - a. work to install the necessary outlet structures for the stormwater detention facilities; or
  - b. work necessary for implementation of any stream enhancements required for the development.
- Construction fencing or a similar barrier shall be installed to discourage construction equipment and activity from occurring within the floodplain area and to provide protection for existing tree canopy.

#### PARKLAND DEDICATION

- 1. Based upon 312 dwelling units, a total of 16.47 acres of park land is required to be dedicated.
- 2. The Sub-Divider is providing park land dedication in the amount of 11.56 acres.

- 3. The 11.56 acre tract of land, and the right-of-way for Kurzweil Road, shall be contained within a final plat submitted concurrently with the first final plat that contains lots platted for residential homes.
- 4. As part of the installation of public improvements for the 1st phase of the subdivision, the Sub-Divider shall remove and fill-in the existing pond and grade the entire site to be as level as possible for future use as a park.
- 5. The park land tract shall be dedicated to the City by the Sub-Divider upon request for dedication from the City. Prior to dedication of the park land tract to the City, the Sub-Divider shall maintain the tract.
- 6. Prior to City acceptance of the park land, the City will inspect the tract to ensure there has been no ground that has settled after the pond is filled-in. The Sub-Divider agrees to fill in any areas that have settled prior to the transfer of the land to the City.
- 7. The City accepts fee-in-lieu of dedication of park land for the remaining land required to be dedicated to the City. Based upon the minimum price per acre of \$10,000, the fee-in-lieu to be paid to the City shall be Forty-Nine Thousand, One-Hundred Dollars (\$49,100.00).
- 8. The fee-in-lieu shall be paid at the time of recording of each final plat that contains lots platted for residential homes as follows:

Amount to be paid = \$157.37 per lot

#### **INSTALLATION AND MAINTENANCE OF PUBLIC IMPROVEMENTS**

- 1. Before the installation of any public improvements for a Platted Area, Sub-Divider shall have all engineering plans approved by the City of Raymore.
- 2. Prior to the issuance of any building permits, Sub-Divider shall install all public improvements necessary to serve the applicable building as shown on approved engineering plans, and said improvements shall have been accepted by the Raymore City Council.
- 3. The Sub-Divider shall be responsible for the installation and maintenance of all improvements as shown on the approved engineering plans of the subdivision for a period of two years after acceptance by the City, in accordance with the City specifications and policies. Said plans shall be on file with the City and shall reflect the development of said subdivision.

Said plans shall include but are not exclusive to sanitary sewer system, storm drainage system and channel improvements, erosion control, MBF elevations and water distribution systems.

4. The Sub-Divider shall be responsible for the installation of all improvements in accordance with the approved engineering plans. The Sub-Divider hereby agrees to indemnify and hold harmless the City and its past, present and future employees, officers and agents from any and all claims arising from the construction of the improvements located on Sub-Divider's property or from the City's inspection or lack of inspection of the plans, specifications and construction relating to the improvements to be placed on the Sub-Divider's property. Sub-Divider hereby agrees to pay to the City all damages, costs and reasonable attorney's fees incurred by the City and its employees, officers and agents in defending said claims.

#### FEES, BONDS AND INSURANCE

- 1. The Sub-Divider agrees to pay to the City a one percent (1%) Plan Review Fee and five percent (5%) Construction Inspection Fee based on the contract development costs of all public improvements as shown on approved engineering plans of said subdivision. The City Engineer shall review and determine the reasonableness of all costs, as presented.
- 2. The Sub-Divider agrees to pay the cost of providing streetlights in accordance with the approved street light plan. Once streetlights are accepted by the City as part of infrastructure acceptance the City will assume maintenance responsibility for the lights.
- 3. The Sub-Divider agrees to pay to the City a \$9 per acre fee for the placement and maintenance of outdoor warning sirens.
- 4. Per Ordinance #20004, the license (excise) tax for building contractors will be charged at the time of building permits at the applicable rate at the time each building permit application is approved.

#### **GENERAL PROVISIONS**

1. The parties agree that execution of this agreement in no way constitutes a waiver of any requirements of applicable City ordinances with which Sub-Divider must comply and does not in any way constitute prior approval of any future proposal for development.

- 2. The covenants contained herein shall run with the land described in this agreement and shall be binding and inure to the benefit of the parties hereto and their successors or assigns and on any future and subsequent purchasers of the property.
- 3. This agreement shall constitute the complete agreement between the parties and any modification hereof shall be in writing, subject to the approval of the parties.
- 4. If, at any time, any part hereof has been breached by Sub-Divider, the City may withhold approval of any or all building permits, or suspend or revoke any issued permits, applied for in the development, until the breach or breaches has or have been cured to the satisfaction of the City.
- 5. This agreement shall be recorded by the City and its covenants shall run with the land and shall bind the parties, their successors and assigns, in interest and title.
- 6. Any provision of this agreement which is not enforceable according to law will be severed heretofore and the remaining provisions shall be enforced to the fullest extent permitted by law. The terms of this agreement shall be construed and interpreted according to the laws of the State of Missouri. Venue for any dispute arising from, or interpretation of this agreement shall be in the Circuit Court of Cass County, Missouri.
- 7. The undersigned represent that they each have the authority and capacity from the respective parties to execute this Agreement. This Agreement shall not be effective until approved by the City Council of the City of Raymore, Missouri.
- 8. Whenever in this agreement it shall be required or permitted that notice or demand be given or served by either party to this agreement to or on the other party, such notice or demand shall be delivered personally or mailed by First Class United States mail to the addresses hereinafter set forth. Such notice or demand shall be deemed timely given when delivered personally or when deposited in the mail in accordance with the above.

If to the City, at: If to Grantor at:

City Manager Danny Carroll

100 Municipal Circle 1100 E. Walnut Street Raymore, MO 64083 Raymore, MO 64083

(SEAL)	THE CITY OF RAYMORE, MISSOURI
	Jim Feuerborn, City Manager
Attest:	
Erica Hill, City Clerk	
	Sub-Divider – Signature
	Printed Name
	Sub-Divider – Signature
	Printed Name
Subscribed and sworn to me on this	Stamp:
the day of20	
in the County of, State of	
Notary Public:	My Commission Expires:

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on

the date first written above.





#### Memorandum

**TO:** Planning and Zoning Commission

FROM: Michael Krass, Director of Public Works & Engineering

**DATE:** May 18, 2021

**RE:** The Prairie at Carroll Farms - Preliminary Plat & Rezoning

The Engineering Division has reviewed the above referenced development plan and offers the following comments.

**Project Location:** The development is located west of Kurzweil Road and east of Cumberland Hills and Heritage Hills subdivisions

**Sanitary Sewer System** - The project will be served by an existing gravity sewer extensions from the Cumberland Hills and Heritage Hills subdivisions along N Crest Drive.

**Water System** - The project is served by existing water main and by the extension of a trunk water main along Sierra Drive and water main that runs along the western edge of the property. There is sufficient flow for the development.

**Storm Water System/Water Quality** - The development proposes to control runoff through a combination of underground conduits and detention basins.

**Transportation** - The site will be served by a local road network and by the extension of Sierra Drive. Turn lanes will also be added to Kurzweil Road to enter the subdivision. The existing and proposed transportation system has adequate capacity to support this development.

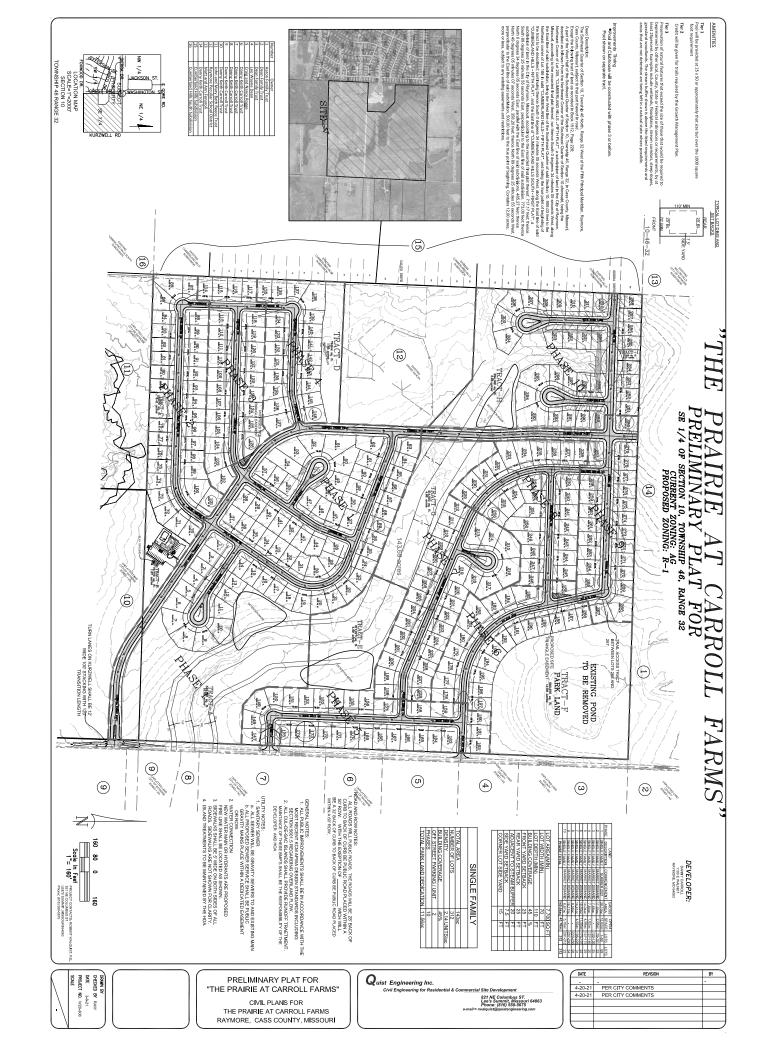




## **Summary**

The Engineering Division requests the Planning and Zoning Commission include the following two conditions as part of the Preliminary Plat Approval.

- 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.





# MONTHLY REPORT April 2021

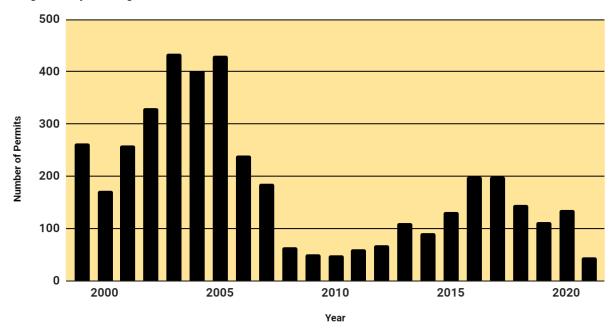
# **Building Permit Activity**

Type of Permit	Apr 2021	2021 YTD	2020 YTD	2020 Total
Detached Single-Family Residential	12	46	34	136
Attached Single-Family Residential	0	0	10	22
Multi-Family Residential	0	0	0	396
Miscellaneous Residential (deck; roof)	92	241	225	1,240
Commercial - New, Additions, Alterations	6	10	8	13
Sign Permits	3	5	12	37
Inspections	Apr 2021	2021 YTD	2020 YTD	2020 Total
Total # of Inspections	384	1306	1,315	4,447
Valuation	Apr 2021	2021 YTD	2020 YTD	2020 Total
Total Residential Permit Valuation	\$3,326,100	\$12,080300	\$10,331,600	\$40,314,600
Total Commercial Permit Valuation	\$1,319,900	\$1,895,300	\$8,004,300	\$46,094,200

#### **Additional Building Activity:**

- Construction continues at The Lofts at Fox Ridge apartment community
- Construction continues on the first industrial building in the Raymore Commerce Center. Site grading has commenced for a 2nd building.
- Construction has commenced for Community America Credit Union to locate a branch at 1400 W. Foxwood Drive in the Willowind Shopping Center
- Site work has commenced for The Venue of The Good Ranch townhome development.
- Construction has commenced for the Heartland Dental Office building in the Raymore Marketplace
- Renovations have commenced for the re-use of the former Steak 'n Shake as a medical marijuana dispensary facility.
- Site work has commenced on the South Town Storage facility, a covered parking area for RV's and similar vehicles
- Manor Homes of Eagle Glen apartments are re-roofing all buildings.

## Single Family Building Permits



# Code Enforcement Activity

Code Activity	Apr 2021	2021 YTD	2020 YTD	2020 Total
Code Enforcement Cases Opened	69	201	183	565
Notices Mailed				
-Tall Grass/Weeds	9	0	13	96
- Inoperable Vehicles	19	88	73	185
- Junk/Trash/Debris in Yard	12	34	25	92
- Object placed in right-of-way	2	0	1	6
- Parking of vehicles in front yard	6	17	9	20
- Exterior home maintenance	10	16	18	43
- Other (trash at curb early; signs; etc)	0	1	4	6
Properties mowed by City Contractor	5	5	8	73
Abatement of violations (silt fence repaired; trees removed; stagnant pools emptied; debris removed)	0	1	0	3
Signs in right-of-way removed	59	222	142	460
Violations abated by Code Officer	11	30	60	133

# Development Activity

#### **Current Projects**

- Park Side 1st Final Plat
- Park Side Park Final Plat
- Eastbrooke at Creekmoor Second Final Plat
- The Venue of The Good Ranch Final Plat
- The Prairie at Carroll Farms Rezoning and Preliminary Plat
- South Town Storage Variance Side Yard Setback

	As of Apr 30, 2021	As of Apr 30, 2020	As of Apr 30, 2019
Homes currently under construction	585 (396 units at Lofts of Foxridge)	171	155
Total number of Undeveloped Lots Available (site ready for issuance of a permit for a new home)	225	306	385
Total number of dwelling units in City	8,826	8,689	8,555

# Actions of Boards, Commission, and City Council

#### City Council

#### April 12 2021

- Ben Bailey was appointed to the Board of Adjustment
- Approved on 1st reading the vacation of a portion of a utility easement at 813 Bridgeshire Drive
- Approved on 1st reading a reimbursement agreement for engineering services for the design of the extension of Sunset Lane through the Park Side Subdivision

#### April 26, 2021

- Approved on 2nd reading the vacation of a portion of a utility easement at 813
   Bridgeshire Drive
- Approved on 2nd reading a reimbursement agreement for engineering services for the design of the extension of Sunset Lane through the Park Side Subdivision

#### Planning and Zoning Commission

#### April 6, 2021

 Approved the site plan for South Town Storage, a covered parking area for RV's and similar vehicles

#### April 20, 2021

• Meeting cancelled

#### **Board of Adjustment**

#### April 20, 2021

 Denied the appeal of the enforcement order that was issued for the keeping of chickens on property located at 400 N. Park Drive

# Upcoming Meetings – April & May

#### May 4, 2021 Planning and Zoning Commission

- Annual review of the Growth Management Plan
- Eastbrooke at Creekmoor Second Final Plat
- The Venue of The Good Ranch Final Plat

#### May 10, 2021 City Council

- 1st reading Eastbrooke at Creekmoor Second Final Plat
- 1st reading The Venue of The Good Ranch Final Plat

#### May 18, 2021 Board of Adjustment

 Variance application filed by Bill Breit requesting a reduction in the side yard setback requirement for the westernmost building proposed as part of the South Town Storage facility on 58 Highway.

#### May 18, 2021 Planning and Zoning Commission

- The Prairie at Carroll Farms Rezoning and Preliminary Plat (public hearing)
- Oak Ridge Farms Final Plat

#### May 24, 2020 City Council

- 1st reading Oak Ridge Farms Final Plat
- 1st reading Easement vacation 1307 Granton (public hearing)
- 2nd reading Eastbrooke at Creekmoor Second Final Plat
- 2nd reading The Venue of The Good Ranch Final Plat

#### June 1, 2021 Planning and Zoning Commission

• Annual review of the Unified Development Code

#### June 14, 2021 City Council

- 1st reading Rezoning of The Prairie at Carroll Farms from A and R-1 to R-1P (public hearing)
- Resolution for Preliminary Plat for The Prairie at Carroll Farms (public hearing)
- 1st reading Easement vacation 1307 Granton

#### June 15, 2021 Planning and Zoning Commission

Saddlebrook Rezoning and Preliminary Plat (public hearing)

#### June 28, 2021 City Council

- 2nd reading Rezoning of The Prairie at Carroll Farms from A and R-1 to R-1P
- Resolution for Preliminary Plat for The Prairie at Carroll Farms
- 1st reading Saddlebrook rezoning modification of development standards for R-1P zoning designation (public hearing)
- Resolution for Preliminary Plat for Saddlebrook (public hearing)

# Department Activities

- Tasco completed demolition of the fire-damaged house at 1231 Wiltshire Blvd.
- Director Jim Cadoret and Economic Development Director David Gress participated in a webinar "Everything you need to know about the single-family rental and build-for-rent market."
- Economic Development Director David Gress and several staff members participated in the virtual 2021 Heartland Economic Development Course.
- Economic Development Director David Gress participated in the monthly morning coffee sponsored by the Raymore Chamber of Commerce.
- Director Jim Cadoret and City Planner Katie Jardieu participated in the open houses held for the Universal Design Home.
- Economic Development Director David Gress appeared on Foxwood Springs TV to discuss economic development activities within the City.
- City Planner Katie Jardieu participated in a virtual meeting of the Cass County Non-Profits group.
- GIS Coordinator Heather Eisenbarth is working on a new on-line entry page for the City GIS mapping applications. The current City map applications can be viewed here.
- Director Jim Cadoret, Economic Development Director David Gress, and Public Works Director Mike Krass participated in the virtual 2021 Heartland Economic Development Course on "Making Sense of Placemaking".
- City Planner Katie Jardieu attended a KU Public Management Center Emerging Leaders Academy class via Zoom.
- Director Jim Cadoret participated in a webinar sponsored by the Missouri Municipal League on Code Enforcement Policy Considerations.
- Economic Development Director David Gress participated in the virtual 2021 Heartland Economic Development Course.
- Economic Development Director David Gress participated in the monthly Board meeting of the Raymore Chamber of Commerce.
- Economic Development Director David Gress attended the Raymore Chamber of Commerce Monthly Membership Luncheon.

- A Good Neighbor meeting was held for <u>The Prairie at Carroll Farms</u>, a 312-lot single-family subdivision proposed for 143 acres on the west side of Kurzweil Road, north of 58 Highway. The Planning and Zoning Commission will consider the request on May 18.
- Director Jim Cadoret and Economic Development Director David Gress participated in the virtual Economic Forecast Webinar sponsored by the Mid-America Regional Council.
- Economic Development Director David Gress attended the grand opening and ribbon cutting ceremony for Scooter's Coffee hosted by the Raymore Chamber of Commerce.

# GIS Activities

- Deployment of 'ESRI Solution' for 'Code Enforcement Operations' for testing/development
- Supply of cartographic maps as requested
- Monitoring of data services and apps for performance & security updates
- Addressing operations
- Data creation & management ArcGIS Collector for Field Use
- Update of older web services with activity, decommissioning of 'stale' resources
- Review/testing of public facing apps
- Technical support for desktop and portal clients
- Update of fileshare(s) for geospatial data & publication graphics as requested
- Configuration for external resources