



To: City Council
From: Planning and Zoning Commission
Date: July 26, 2021
Re: Case #21010 Saddlebrook Subdivision - Amendment to R1-P

GENERAL INFORMATION

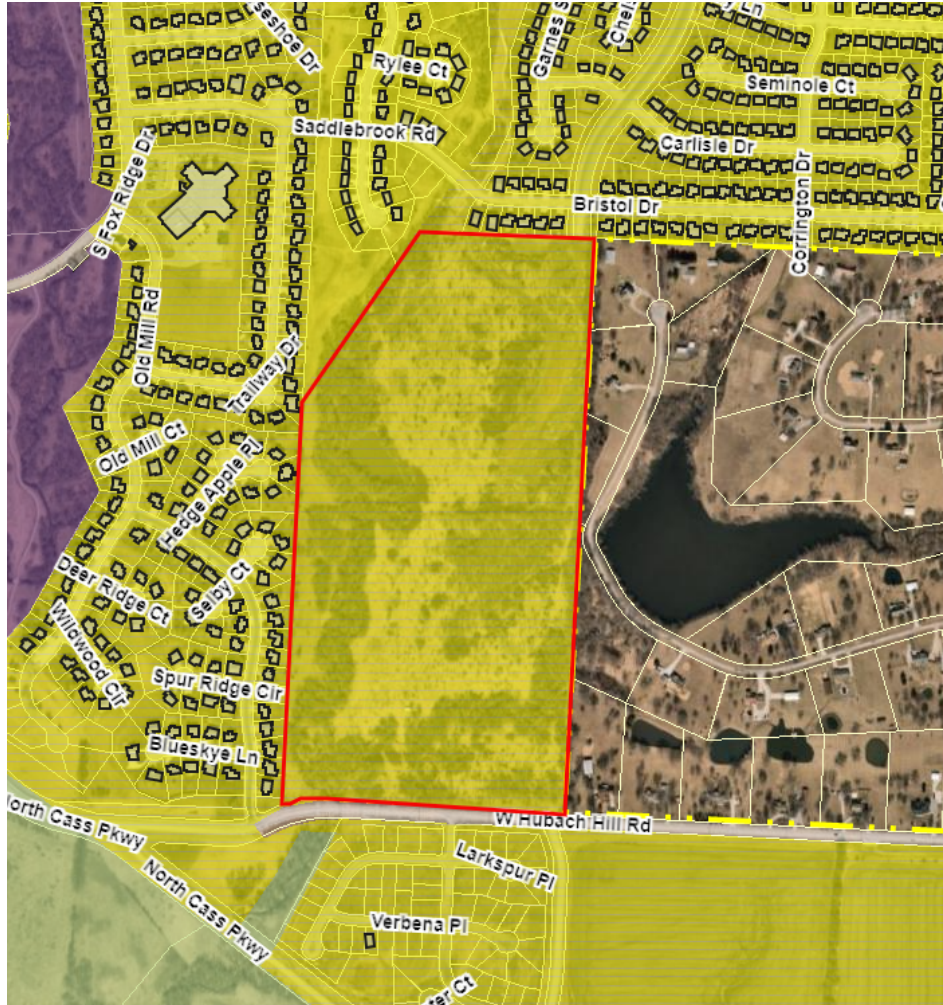
Applicant: Rick Frye
Brookside Builders
803 PCA Road
Warrensburg, MO 64093

Requested Action: Request to modify the development standards of the existing R-1P zoning designation of 65+ acres

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



Existing Zoning: “R-1P” Single-Family Residential Planned District



- North: R-1 and R-1P (Single Family Residential)
- East: Unincorporated Cass County
- South: R-1P (Single Family Residential)
- West: R-1P (Single Family Residential)

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

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

Legal Description: All of the following described tract of land except the north 600.00 feet thereof:
The East Half of the Southeast Quarter, in Section 20, Township 46, Range 32, in Cass County, Missouri, except the South 22.0 feet thereof, and further except the following described land: A part of the Southeast Quarter of Section 20, Township 46, Range 32, described as follows: Beginning at the Northwest Corner of Lot 34, DUTCHMAN'S ACRES, a subdivision of land in Cass County, Missouri, according to the recorded Plat thereof, of record in Plat Book 6, Page 3; thence West approximately 20 feet to the existing fence line as now located; thence South along the existing fence line to a point that is North 67 degrees 32 minutes West of the Southwest Corner of Lot 33 in said Subdivision; thence South 67 degrees 32 minutes East 10 the Southwest Corner of said Lot 33; thence North along the West line of Lots 33 and 34 in said subdivision to the Point of Beginning, and further

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

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

Advertisement: May 27, 2021 **Journal** newspaper
June 17, 2021 **Journal** newspaper

Public Hearing: June 15, 2021 Planning Commission meeting
July 12, 2021 City Council

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 modify the development standards on the 65-acre parcel associated with the existing "R-1P" Single-Family Residential Planned District to adjust lot width, lot size, side-yard building setback, and lot coverage to allow for a mixture of single-family homes in the proposed development.

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 subject property was rezoned from “R-1” Single Family Residential District to “R-1P” Single Family Residential Planned District on April 10, 2006. The Planned District allowed for a reduction in the minimum side yard building setback from 10 feet down to 10% of the lot width, with a minimum of 7 feet; and reduced the minimum front yard building setback on the side street for corner lots from 30 feet down to 20 feet.
2. The Brookside South Preliminary Plat was approved for the subject property on May 22, 2006. The Preliminary Plat expired on September 2, 2018.
3. Prairie View of the Good Ranch was rezoned from “A” Agricultural District to “R-1P” Single Family Residential Planned District on October 10, 2005. The Planned District allowed for a reduction in the minimum lot depth from 120 feet down to 100 feet; allowed for a reduction in the minimum rear yard building setback from 30 feet down to 25 feet; and allowed for a reduction in the minimum side yard building setback from 10 feet down to 8.3 feet.
4. In 2015 the Planned District requirements for Prairie View of the Good Ranch were adjusted as follows: the minimum lot size was reduced from 8,400 square feet down to 7,200 square feet; the minimum lot width was reduced from 70 feet down to 60 feet; the minimum front yard building setback was reduced from 30 feet down to 25 feet; and the minimum side yard building setback was reduced from 8.3 feet down to 6 feet.
5. The Venue of The Good Ranch, a townhome development proposed for the northeast corner of Dean Avenue and North Cass Parkway, was rezoned from “A” Agricultural District to “PUD” Planned Unit Development District, on September 9, 2019. The development will consist of 51 4-unit townhome buildings.
6. A request to reclassify the zoning of the property from R-1P to R-2P in order to allow single and two-family residential dwellings was recommended for denial by the Planning Commission in September 2020. Prior to the public hearing by the City Council the applicant withdrew the application.

GOOD NEIGHBOR INFORMATIONAL MEETING COMMENTS

A Good Neighbor meeting was held on Wednesday, May 19, 2021 in Harrelson Hall at Centerview. 15 people attended, including residents of Dutchman Acres in Cass County. Applicant Rick Frye and Project Engineer Shawn Duke also attended to make the presentation and answer questions and concerns. City Planner Katie Jardieu represented City staff. The comments below provide a summary of the meeting:

Shawn Duke began the meeting by briefly explaining the project. Half of the project is creek area and therefore not developable. He is planning to do half of the project area as dwellings similar in size and style to Brookside. The second half that is closer to Hubach Hill Road will be smaller lots but still single-family homes. These are the new starter homes or for those looking to downsize. There will be a combination of walk-out basements as well as slab foundation.

Attendees had the following questions regarding the project:

Q: What will the starting price be? They will start at \$350,000 and \$250,000.

Q: What will the lot size be? Lots will be 70 feet to 45 feet wide.

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

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

Q: Will there be an easement between Brookside and the new homes where they back up to one another? No, there will just be the standard utility easement in each yard.

Q: Is this an extension of Brookside? No this will be a separate HOA and separate amenities.

Q: The property is soggy and has flooding issues. Have you done a geotechnical assessment? It is not standard practice in this area to do a geotechnical analysis as the soil is largely the same and rocks are not overly common unless it is a very large structure. The builder will need to make sure that there is sufficient load capacity within the soil. The floodplain area has space and we are not building up against it. The width of the house does not affect the structural integrity as the load is still spread out. A narrow house acts the same as a wide house with the same square footage. We are not building in the floodplain. If the floodplain changes that may affect the house but we

cannot build for a future scenario. We build to the current City standards and federal guidelines.

Q: Will there be any detention for stormwater? The City has requirements and we will meet them. The pond and stream also act as detention. We have not done detailed construction plans yet to fully lay out stormwater, but in general there will be stormwater controls on the west side particularly since that is where an issue is. Everything is flowing to box culverts at Hubach Hill Road and we will maintain that.

Q: What is the driving factor in building this many lots? The cost of lots increases with the number of improvements that need to be made. There has also been a huge increase in labor and material costs as well as infrastructure.

Q: What is the slope of the area? The area slopes to the north. There is a ridge that juts out as well, acting as a natural barrier to Dutchman Acres..

Q: Will there be 50 different builders or is the developer going to build? There will be 4-5 different builders. The developers may build as well. Developers grade the land and put in the infrastructure and utilities and then sell the lots to builders who build the homes.

Q: What will traffic look like on Hubach Hill Road? Hubach Hill Road will not be widened. This subdivision and another one across the road were accounted for when improvements were made to Hubach Hill and therefore can accommodate the potential increase in traffic.

Q: Who will maintain the walking trail? The HOA will maintain it.

STAFF COMMENTS

1. The property has been zoned "R-1P" Single-Family Residential Planned District since April 10, 2006.
2. The property is owned by the same individuals who developed the Brookside Subdivision. The property was initially planned as an extension of the Brookside Subdivision and was referred to as Brookside South. The property owners are now separating the new area from Brookside and refer to the development as Saddlebrook Subdivision.
3. In October of 2018 the property owner filed a request to rezone the entire 80 acre tract from R-1P to R-2P " Single and Two-Family Residential Planned District". A

total of 166 units were proposed. A Good Neighbor meeting was held on November 14, 2018. The property owner subsequently placed a hold on further review of the rezoning application.

4. On August 6, 2020 the applicant refiled the rezoning application requesting that only the southern 65 acres of the property be rezoned to R-2P. The northern 15 acres would have remained zoned R-1P and would have been developed with single-family dwellings. After a recommendation of denial from the Planning and Zoning Commission, the property owner placed a hold on the further review of the application.
5. The uses permitted in the R-1P district are as follows:

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

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

6. The current “P” overlay district development standards and the proposed modifications of the development standards are shown below:

	CURRENT R-1P	PROPOSED R-1P
Minimum Lot Area		
square feet	8,400	4,500
Minimum Lot Width (feet)	70	45
Minimum Lot Depth (feet)	100	100
Yards, Minimum (feet)		
front	30	30
rear	30	30
side	10% of lot width, min 7ft	5ft
side, corner lot	20	20
Maximum Building Height (feet)	35	35
Maximum Building Coverage (%)	30	40

7. In exchange for the flexibility provided under the Planned District, the development must provide amenities in accordance with the following menu:

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

The proposed development will comply with the requirements of the amenities menu.

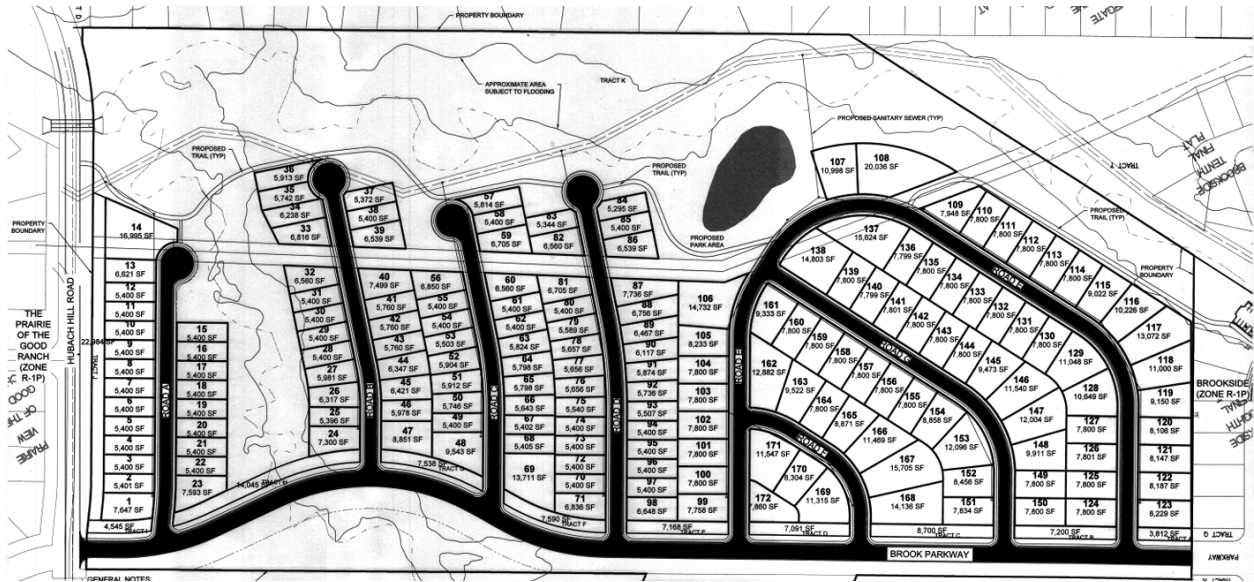
8. The subject property is located within the territorial area of the Cass County Public Water Supply District #10. The applicant is aware that the entire Saddlebrook Subdivision will be served water by Water District #10.
9. The rezoning request was submitted to the administration of the Raymore-Peculiar 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”.
10. Existing floodplain area and the location of a high-pressure gas line will create a natural buffer of at least 500 feet between the existing properties in Stonegate Subdivision and any new home in the proposed Saddlebrook Subdivision.



The map illustrates the floodplain and the location of the gas main. The area shaded in white is the approximate land area that will be developed.

11. The subdivision adjacency requirements of the Unified Development Code have been met for the existing lots in the Brookside Subdivision. The adjacency requirements do not apply to the lots within the Dutchman Acres subdivision to the west because that subdivision is not within the city limits.

12. The conceptual plan for Saddlebrook that was shared as part of the Good Neighbor meeting proposes approximately 74 single-family dwellings with a minimum 65' lot width and 98 single-family dwellings with a minimum 45' lot width. This conceptual plan will be the basis for submittal of the required Preliminary Plat for the subdivision as illustrated below:



ENGINEERING DIVISION RECOMMENDATION

See attached memorandum.

STAFF PROPOSED FINDINGS OF FACT

Under 470.020 (G) (1) the Planning and Zoning Commission and City Council is directed to make findings of fact taking into consideration the following:

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

The Growth Management Plan identifies this property as appropriate for low density residential development, defined as detached single-family residential.

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

The property is suitable for development as a single-family subdivision.

With the proposed extension of Brook Parkway along the East side as well as the appropriate right-of-way along Brook Parkway, there is a minimum of 150 feet of separation between the proposed development and Dutchman Acres, which is outside the City limits. This is more than we require between subdivisions if Dutchman Acres were within the City limits.

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

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

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

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

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

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

Adequate public infrastructure is available to serve the site, or will be available at the time development of the property occurs. There is existing water and sanitary sewer infrastructure to serve the property. The adjacent road network can adequately serve the site. Brook Parkway will be extended through the site to create a north-south collector road connection between Lucy Webb Road and Hubach Hill Road. Additionally the traffic improvements completed in 2010 accounted for the future build-out of this area as single family homes.

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

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

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

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

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

The proposed zoning map amendment is in the public interest as it simply adjusts setbacks to previously approved zoning.

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.

PLANNING COMMISSION PROPOSED FINDINGS OF FACT

Under 470.020 (G) (1) the Planning and Zoning Commission and City Council is directed to make findings of fact taking into consideration the following:

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

With the proposed extension of Brook Parkway along the East side as well as the appropriate right-of-way along Brook Parkway, there is a minimum of 150 feet of separation between the proposed development and Dutchman Acres, which is outside

the City limits. This is more than we require between subdivisions if Dutchman Acres were within the City limits.

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

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

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

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

The proposed zoning map amendment would detrimentally affect the surrounding properties. The proposed amendment would allow for development that would not be consistent with existing surrounding development.

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

Adequate public infrastructure is available to serve the site, or will be available at the time development of the property occurs. There is existing water and sanitary sewer infrastructure to serve the property. The adjacent road network can adequately serve the site. Brook Parkway will be extended through the site to create a north-south collector road connection between Lucy Webb Road and Hubach Hill Road. Additionally the traffic improvements completed in 2010 accounted for the future build-out of this area as single family homes.

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

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

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

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

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

The proposed zoning map amendment is not in the public interest as it would allow for development that is not consistent with existing surrounding 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 gain to the public health, safety and welfare of the community as a result of the denial of the application. Denial preserves the land area for a development that is more in keeping with the character of the area.

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>City Council 1st</u>	<u>City Council 2nd</u>
Public Hearing	June 15, 2021	July 12, 2021	July 26, 2021

STAFF RECOMMENDATION

City staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and forward case #21010, modification of the development standards for the existing “R-1P” Single-Family Residential Planned District designation of the 65-acre property, to City Council with a recommendation of approval.

PLANNING AND ZONING COMMISSION RECOMMENDATION

The Planning and Zoning Commission, at its June 15, 2021 meeting, voted 6-3 to reject staff proposed findings of fact and adopt alternate findings of fact and forward case #21010, modification of the development standards for the existing “R-1P” Single-Family Residential Planned District designation of the 65-acre property, to City Council with a recommendation of denial.

CITY COUNCIL ACTION 1ST READING - 7/12/2021

The City Council, at its July 12, 2021 meeting, voted 7-1 to accept the staff proposed findings of fact and approved case #21010, modification of the development standards for the existing “R-1P” Single-Family Residential Planned District designation of the 65-acre property on 1st reading.

CITY COUNCIL ACTION 2ND READING - 7/26/2021

The City Council, at its July 26, 2021 meeting, voted 7-1 to accept the staff proposed findings of fact and approved case #21010, modification of the development standards for the existing “R-1P” Single-Family Residential Planned District designation of the 65-acre property on 2nd reading.