



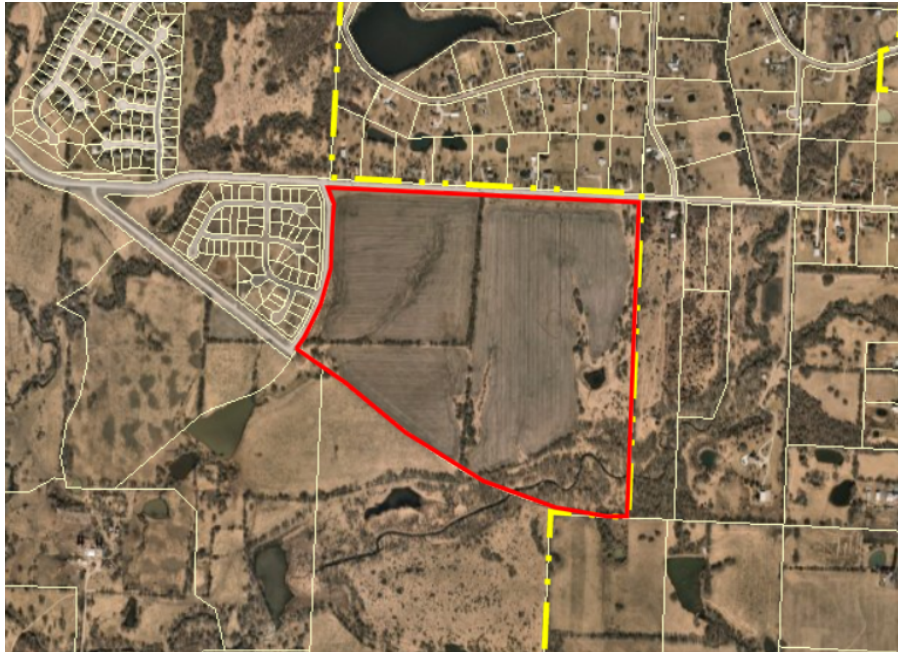
**To:** City Council  
**From:** Planning and Zoning Commission  
**Date:** August 23, 2021  
**Re:** **Case #21017 Sendera Subdivision - Rezoning R-1P to PUD and Preliminary Plan**

### **GENERAL INFORMATION**

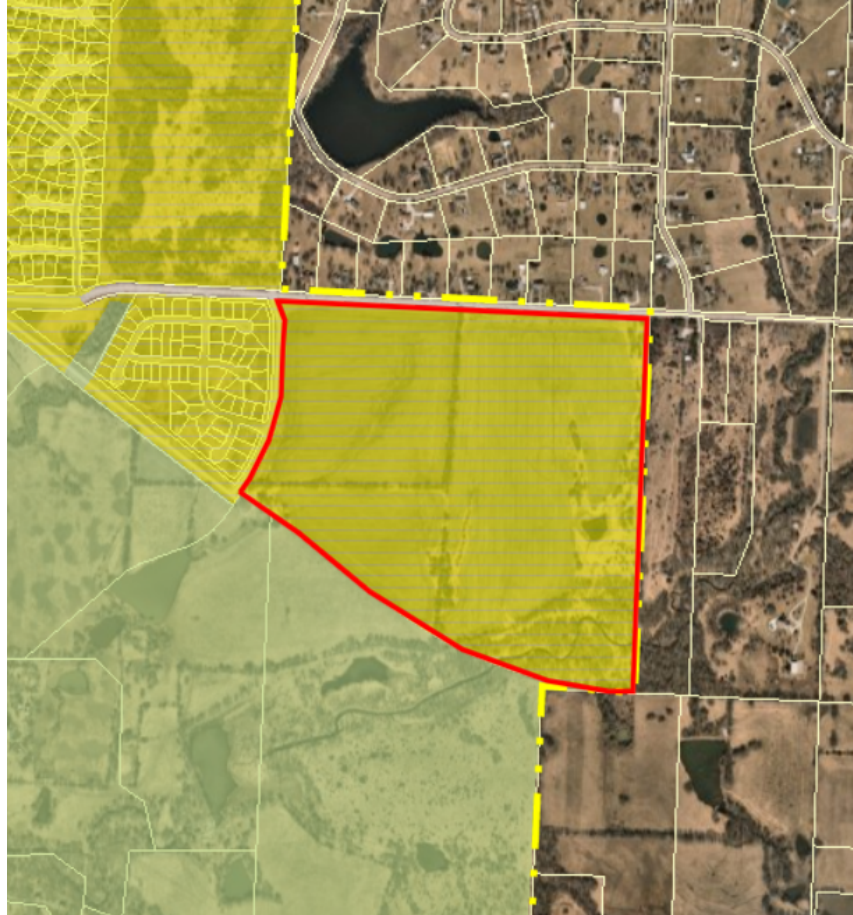
**Applicant:** Brad Kempf  
Clayton Properties Group, Inc  
120 SE 30th Street  
Lee's Summit, MO 64082

**Requested Action:** Request to rezone existing R-1P to PUD zoning designation of 135± acres

**Property Location:** Generally located south of Hubach Hill Road, east of Prairie View of the Good Ranch Subdivision



**Existing Zoning: "R-1P" Single-Family Planned Residential District**



- North: Unincorporated Cass County and R-1P (Single Family Residential)
- East: Unincorporated Cass County
- South: A (Agricultural District) and unincorporated Cass County
- West: R-1P (Single Family Planned 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:** A TRACT OF LAND SITUATED IN PART OF THE NORTHEAST QUARTER OF SECTION 29 AND PART OF THE NORTHWEST QUARTER OF SECTION 28 OF TOWNSHIP 46, RANGE 32, IN RAYMORE, CASS COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 28; THENCE SOUTH 02 DEGREES 31 MINUTES 38 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION 28, 40.00 FEET; THENCE NORTH 87 DEGREES 02 MINUTES 37 SECONDS WEST 17.94 FEET; THENCE SOUTHERLY ALONG A NON-TANGENT CURVE TO THE LEFT WITH A RADIUS OF 270.00 FEET, AN ARC LENGTH OF 54.59 FEET AND AN INITIAL TANGENT BEARING OF SOUTH 07 DEGREES 21 MINUTES 09 SECONDS EAST; THENCE SOUTH 18 DEGREES 56 MINUTES 11 SECONDS EAST, 23.41 FEET; THENCE SOUTHERLY ALONG A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 330.00 FEET AND AN ARC LENGTH OF 126.09 FEET; THENCE SOUTH 02 DEGREES 57 MINUTES 23 SECONDS WEST, 385.72 FEET; THENCE SOUTHERLY ALONG A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 1280.00 FEET AND AN ARC LENGTH OF 780.00 FEET; THENCE SOUTH 37 DEGREES 52 MINUTES 15 SECONDS WEST, 23.65 FEET; THENCE SOUTH 52 DEGREES 07 MINUTES 45 SECONDS EAST, 1249.14 FEET; THENCE ALONG A TANGENT CURVE TO THE LEFT WITH A RADIUS OF

3065.00 FEET AND AN ARC LENGTH OF 1876.77 FEET; THENCE SOUTH 87 DEGREES 12 MINUTES 45 SECONDS EAST, 47.30 FEET; THENCE NORTH 02 DEGREES 23 MINUTES 36 SECONDS EAST, 2656.75 FEET; THENCE NORTH 87 DEGREES 22 MINUTES 52 SECONDS WEST, 2594.91 FEET TO THE POINT OF BEGINNING, EXCEPT THAT PART IN HUBACH HILL ROAD, EXCEPT THAT PART CONVEYED TO CITY OF RAYMORE BY MISSOURI SPECIAL WARRANTY DEED FILED AUGUST 25, 2010 AS DOCUMENT NO. 460850 IN BOOK 3375 AT PAGE 789.

**Advertisement:** July 1, 2021 **Journal** newspaper  
July 22, 2021 **Journal** newspaper

**Public Hearing:** July 20, 2021 Planning Commission meeting  
August 9, 2021 City Council meeting

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

## REQUEST

Applicant is requesting to rezone the approximately 135-acre parcel from the existing “R-1P” Single-family Residential Planned District to “PUD” Planned Unit Development District to establish lot width, lot size, side-yard building setback, and lot coverage standards to allow for a mixture of single-family homes in the proposed Sendera subdivision development. A reclassification to a PUD district requires the concurrent submittal of a preliminary plan.

## REZONING REQUIREMENTS

**Section 415.060 and Section 470.050 of the Unified Development Code outline the applicable requirements for Zoning Map amendments.**

### Section 415.060 PUD, Planned Unit Development District

#### A. General Purpose and Description

The PUD, Planned Unit Development District is a special purpose district that is intended to encourage the unified design of residential, commercial, office, professional services, retail and institutional uses and facilities or combinations thereof in accordance with an approved comprehensive development plan. This district provides for flexibility in the design of buildings, yards, courts and circulation in exchange for the provision of platted common open space, amenities and design excellence.

#### B. Review Procedure

The procedure for review of applications for planned unit developments will be as set forth in Section 470.050.

#### C. Allowable Uses

The Planned Unit Development District may be established exclusively for residential, commercial or industrial development or any combination of these uses. Each use category must be listed on the PUD plans and approved by the Planning and Zoning Commission and the City Council.

## **D. District-Specific Design Standards**

### **1. Maintenance of Overall Density**

The Planning and Zoning Commission and City Council may designate divisible geographic sections of the entire parcel to be developed as a unit, and may, in such a case, specify reasonable periods within which developments of such unit must be commenced. In the case of residential planned unit developments, the Planning and Zoning Commission may permit in each unit deviations from the number of dwelling units per acre established for the entire planned development, provided such deviation will be adjusted for in other sections of the development so that the number of dwelling units per acre authorized for the entire planned development is not increased.

### **2. Adequate Circulation System**

- a.** The site must be accessible from public roads that are adequate to carry the traffic that will be imposed upon them by the proposed development, and the streets and driveways on the site of the proposed development must be adequate to serve the residents or occupants of the proposed development.
- b.** A traffic study shall be submitted with the rezoning application in order to determine impacts of the proposed development and necessary improvements to the transportation system. The traffic study shall take into consideration the Transportation Plan of the City of Raymore. The Director of Public Works shall review the traffic study and make a recommendation to the Planning and Zoning Commission and City Council regarding necessary improvements to the transportation system.

### **3. Adequate Public Services**

The development must not impose an undue burden upon public services and facilities, such as fire and police protection and public infrastructure. The development must make adequate provisions for resulting additional system demands imposed by the development upon roads and streets, water supply and storage, storm sewerage, sanitary sewerage and wastewater treatment. The developer must make arrangements and will furnish such performance bonds, escrow deposits or other guarantees as may be determined by the City to be reasonably required to assure consistency of the development with the City's Growth Management Plan and with this subsection.

### **4. Additional Buffering**

When a commercial or industrial use within a Planned Unit Development district abuts a residential zoning district, a landscape buffer in compliance with Section 430.080C1 shall be provided. If the residential zoning district and the commercial or industrial use are separated by a street right-of-way, a 10 foot wide landscaped buffer containing trees, shrubs and evergreens must be provided along the residential side of the right-of-way line. The applicant must provide for perpetual maintenance of the landscape buffer containing trees, shrubs and evergreens.

## **E. Additional Requirements**

### **1. Operational Performance Standards**

All uses in the planned unit development district must comply with the operational performance standards in Section 440.020.

### **2. Outdoor Storage, Display and Work Areas**

- a.** All residential uses allowed in the PUD must comply with the requirements of Section 405.040E.
- b.** All business, commercial or industrial uses allowed in the PUD must comply with the requirements of Section 410.040B.

### **3. Bulk and Dimensional Standards**

Bulk and dimensional standards shall be established by the Planning and Zoning Commission and City Council as part of the zoning map amendment process.

## **Section 470.050 Planned Unit Development (PUD)**

### **A. Purpose**

The purpose of a Planned Unit Development (PUD) District is to encourage the unified design of residential, commercial, office, professional services, retail and institutional uses and facilities or combinations thereof in accordance with an

approved comprehensive development plan. This district provides for greater flexibility in the design of buildings, yards, courts, and circulation that is provided by other districts.

**B. Pre-Application Conference**

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

**C. Preliminary Plan Applications**

An application for a planned unit development may be obtained from the Development Services Director. The application must be completed in its entirety in accordance with Section 470.010C and filed with the Development Services Director so that a public hearing date can be established in accordance with Section 470.010E.

**D. Memorandum of Understanding**

A Memorandum of Understanding (MOU) shall be prepared for all Planned Unit Development applications. The MOU will be prepared by the City and included with the application when submitted to the Planning and Zoning Commission for consideration. The applicant shall sign the MOU prior to submittal of the application of the City Council.

**E. Preliminary Plan Procedure** *(Amendment 16 – Ordinance 2013-056 8.26.13)*

**1. Planning and Zoning Commission Public Hearing**

All proposed planned unit development applications must first 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. The public hearing must be held at the next regular meeting of the Planning and Zoning Commission for which the application may be scheduled given public notice deadlines, unless the applicant has consented to an extension of this time period. The Development Services Director or other appointed official as designated by the Planning and Zoning Commission must prepare a written summary of the proceedings, and give notice of the hearing as provided in Section 470.010E.

**2. Planning and Zoning Commission Recommendation**

Upon conclusion of the public hearing, the Planning and Zoning Commission will submit a recommendation to the City Council to approve, approve with modifications or disapprove the proposed planned unit development preliminary plan. If a motion on an application fails, the Planning and Zoning Commission shall be required to propose and vote on a counter motion on the application. If a tie vote of the Commission, or if no majority vote of the full membership of the Commission can be obtained on a recommendation to be made, the application will be forwarded to the City Council with no recommendation. The Commission must submit its recommendation along with a record of the public hearing thereon, to the City Council. The Planning and Zoning Commission may include reasonable conditions as a part of its recommendation.

**3. City Council Action**

Upon receipt of the recommendations of the Planning and Zoning Commission, the City Council must within 60 days consider the application and recommendations of the Planning and Zoning Commission. The City Council may approve or modify the recommendations of the Planning and Zoning Commission and may approve, approve with modifications or disapprove the preliminary plan with or without conditions. In the event the application is not acted upon by the City Council within 120 days following receipt of the recommendations of the Planning and Zoning Commission, and unless the applicant has consented to an extension of time, the application will be deemed denied.

**4. Protest**

In the event that a protest petition against any application for a planned unit development is presented to the City Clerk prior to the date scheduled for the City Council to take action and is properly signed and notarized by the deeded owners of 30 percent or more of the areas of the land (exclusive of streets and alleys) included in such proposed change, or within an area determined by lines drawn parallel to and 185 feet distant from the boundaries of the district proposed to be changed, such amendment will not become effective except by the favorable vote of two-thirds of all the members of the City Council.

**F. 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:

1. the preliminary development plan's consistency with the Growth Management Plan and all other adopted plans and policies of the City;



2. the preliminary development plan's consistency with the PUD standards of Section 415.060, including the statement of purpose;
3. the nature and extent of common open space in the PUD;
4. the reliability of the proposals for maintenance and conservation of common open space;
5. the adequacy or inadequacy of the amount and function of common open space in terms of the densities and dwelling types proposed in the plan;
6. whether the preliminary development plan makes adequate provision for public services, provides adequate control over vehicular traffic, and furthers the amenities of light and air, recreation and visual enjoyment;
7. whether the preliminary development plan will have a substantially adverse effect on adjacent property and the development or conservation of the neighborhood area;
8. whether potential adverse impacts have been mitigated to the maximum practical extent;
9. whether the preliminary development plan represents such a unique development proposal that it could not have accomplished through use of (non-PUD) conventional Unified Development Code; and
10. the sufficiency of the terms and conditions proposed to protect the interest of the public and the residents of the PUD in the case of a plan that proposes development over a period of years.

#### **G. Effect of Preliminary Development Plan Approval**

Approval of the Preliminary Development Plan constitutes approval of a preliminary plat. A preliminary plat review fee is not required.

#### **H. Status of Preliminary Development Plan After Approval**

1. The applicant and the applicant's agent will be given written notice of the action of the City Council.
2. Approval of a preliminary development plan does not qualify as a plat of the planned unit development for recording purposes.
3. An unexpired approved preliminary development plan, including one that has been approved subject to conditions provided that the landowner has not defaulted on or violated any of the conditions, may not be modified or revoked by the City without the consent of the landowner.
4. Prior to final plat approval, a landowner may choose to abandon a plan that has been given preliminary approval provided that the Planning and Zoning Commission is notified in writing.
5. Major changes in the planned unit development may be made only if an application to amend the approved preliminary plan has been approved by the City. The application to amend an approved preliminary plan shall be submitted and reviewed in accordance with the provisions of Section 470.050. What constitutes a major change is determined by the Development Services Director, but would include changes to the land use, street layout, and substantial change in building location or design.

#### **I. Expiration of Preliminary Plan Approval**

1. In the event the landowner fails to file an application for final plat approval within one year after final approval of the Preliminary Development Plan has been granted then such approval will expire.
2. In the event the landowner fails to file a subsequent application for final plat approval in accordance with the approved phasing schedule then such approval will expire.
3. For good cause shown, the expiration date may be extended by the City Council. The request for extension may be made by letter to the Development Services Director and will be considered only if received before the expiration date of the approval. The Development Services Director will forward the request to the City Council for consideration at its next available meeting.
4. If the approval of the preliminary development plan for a phased development expires after the completion of one or more phases, the preliminary development plan will remain in full effect as to those portions of the development that are subject to final plats in which the developer has acquired vested rights, but the remaining portions of the preliminary development plan will expire.
5. No action by the City will be necessary to cause the approval to expire. Its expiration will be considered a condition of the original approval. After the expiration date or extended expiration date, no application for final plat or for other development activity on the site will be considered until a new preliminary development plan has been approved.

6. After expiration of a preliminary development plan or any portion thereof, the PUD will remain in effect for the affected property, but further development on the property will require the approval of a new preliminary development plan, in accordance with the procedures and standards in effect at the time of the new application. If a preliminary development plan has expired as to part of a phased development, consistency with the developed parts of the preliminary development plan will be an additional criterion for consideration of a new proposed preliminary development plan.
7. Approval of a preliminary development plan does not, in itself, vest any rights.

**J. Final Plat Application**

After approval of a preliminary plan and prior to the issuance of any building permit or zoning certificate, an application for a final plat may be obtained from the Development Services Director. The application must be completed in its entirety in accordance with Section 470.010C and filed with the Development Services Director. The final plat may include the entire planned unit development or may be for a unit or section thereof as set forth in the approval of the preliminary plan. The application must include covenants, easements, conditions and form of performance bond as set forth in the approval of the preliminary plan and in accordance with the conditions established in this Code.

**K. Contents of the Final Plan**

The final plan must include all information required for final plats in accordance with Section 470.130.

**L. Final Plan Procedure**

Final Plans will be approved and recorded according to the final plat procedure of Section 470.130.

**M. Effect of Approval**

All final plans filed will:

1. be binding upon the applicants, their successors and assigns;
2. control the issuance and validity of all building permits; and
3. limit the construction, location, use and operation of all land, land improvements and structures to be located on the subject site.

**N. Enforcement and Modification of Final Development Plans**

To further the mutual interest of the residents and owners of the planned unit development and of the public in the preservation of the integrity of the plan, as finally approved, and to insure that modifications, if any, in the plan will not impair the reasonable reliance of the said residents and owners upon the provisions of the plan, nor result in changes that would adversely affect the public interest, the enforcement and modification of the provisions of the plan as finally approved, whether recorded by plan, covenant, easement or otherwise, will be subject to the following provisions:

**1. Enforcement by the Municipality**

The provisions of the plan relating to:

- a. the use of land and the use, bulk, and location of buildings and structures;
- b. the quality and location of common open space;
- c. the intensity of use or the density of residential units will run in favor of the municipality and will be enforceable in law or in equity by the municipality, without limitation on any powers or regulation otherwise granted the municipality by law; and
- d. the owner(s) will be responsible for the payment of attorney’s fees, costs, and expenses incurred by the City in its’ successful enforcement of the provisions of the plan.

**2. Enforcement by the Residents and Owners**

All provisions of the plan will run in favor of the residents and owners of the planned development, but only to the extent expressly provided in the plan and in accordance with the terms of the plan, covenant, easement or otherwise may be enforced by the law or equity by said residents and owners, acting individually, jointly or through an organization designated in the plan to act on their behalf; provided, however, that no provisions of the plan will be implied to exist in favor of residents and owners of the planned unit development except as to those portions of the plan which have been finally approved and have been recorded.

### **3. Modification by the City**

All those provisions of the plan authorized to be enforced by the City under paragraph (1) of this section may be modified, removed or released by the City (except grants or easements relating to the service or equipment of a public utility unless expressly consented to by the public utility), subject to the following conditions:

- a.** No such modification, removal or release of the provisions of the plan by the municipality will affect the rights of the residents and owners of the planned unit development to maintain and enforce those provisions, at law or equity, as provided in paragraph (2) of this section.
- b.** No modification, removal or release of the provision of the plan by the municipality will be permitted except upon a finding by the municipal authority, following a public hearing called and held in accordance with the provisions of this section; that the same is consistent with the efficient development and preservation of the entire planned unit development and does not adversely affect either the enjoyment of the land abutting upon or across a street from the planned unit development for the public interest; and is not granted solely to confer a special benefit upon any person.

### **4. Modification by the Residents**

Residents and owners of the planned unit development may, to the extent and in the manner expressly authorized by the provision of the plan, modify, remove or release their rights to enforce the provisions of the plan, but no such action will affect the right of the municipality to enforce the provisions of the plan in accordance with the provisions of paragraph (1) of this section.

### **O. Amendments**

A planned unit development district ordinance or any approved preliminary development plan may be amended in the same manner prescribed in this chapter for approval of the initial preliminary plan. Application for amendment may be made by the subdivision developer, homeowner's association or 51 percent of the owners of property within the PUD.

## **PREVIOUS PLANNING ACTIONS ON OR NEAR THE PROPERTY**

1. On June 23, 2008, City Council approved Ordinance #28055, establishing the Hubach Hill Road and North Cass Parkway Community Improvement District (CID). The Sendera subdivision is located within the CID.
2. 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.
3. 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.
4. In 2006 the subject property was rezoned from "A" Agricultural District to the current "R-1P" Single-Family Residential District. The preliminary plat for The Estates of The Good Ranch, was approved in 2007 and remains a valid preliminary plat. A total of 343 lots were proposed. The subdivision contained two distinct areas: on the



west side were narrow, smaller lots for villas and on the east were the larger, standard R-1 sized lots,

5. On July 12, 2021, by a 7-1 vote, the City Council approved on 1st reading the proposed modification of development standards applicable to the 65 acres proposed for the Saddlebrook subdivision on the north side of Hubach Hill Road, east of the Stonegate Subdivision. 2nd reading on the modifications to the development standards, and consideration of the preliminary plat, are scheduled for July 26.

## **GOOD NEIGHBOR INFORMATIONAL MEETING COMMENTS**

A Good Neighbor meeting was held on Wednesday, June 16, 2021 in Council Chambers at City Hall. 18 people attended, of which 3 were identified as Raymore residents. Most individuals attending were residents of the Dutchman Acres subdivision. Applicant Kyle Jones and Tiffany Ford of Summit Homes and Project Engineer Doug Ubben, Jr. 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:

Summit Homes began the meeting by briefly explaining the project. The project is a mix of three product types with an overall density of 3.2 units per acre. The Colony is a 2-car garage product. The Enclave is a single and two story product with a 2-car garage. The Trailside is the third product type and is a single and two story product with a 3-car garage. In general the site drains from North to South and there will be onsite detention. Construction will start at the amenity area in the center of the project and then radiate out. The amenities include a clubhouse, pool, play field and hopefully a dog park at one end. The product strives to create a sense of community.

Attendees had the following questions regarding the project:

**Q: What is the smaller lot width? The plans don't show that neighbors will only be 10 feet away. My daughter lives in a place like that and it is close.**

40' and 48'

**Q: Will any of the products be available anywhere within the subdivision?**

No each product is available in a respective area. You can see this type of development and the more narrow lots in Eastbrooke at Creekmoor, Overland Park - Southpointe, Lee's Summit Osage

**Q: What was the original number of lots approved?**

343 lots

**Q: Why increase density?**

We are looking to provide various product types so that people have a mix within the subdivision and more choice when looking for a home.

**Q: Headlights are going to hit us.**

Summit responded saying they can add additional trees to help.

**Q: What is the market for these homes?**

The market is demanding this. We are trying to build homes for the workforce. A \$300,000 home has an income of no more than \$130,000. To build a home that people can afford we have to make smaller lots to account for the needed infrastructure. This product also has higher end homes, we want a community that incorporates all of it.

**Q: I don't think this type of person is coming to Raymore.**

In Overland Park, at 179th so not very far, a similar project of ours was sold out in 1 day. That was real contracts in hand and not just speculative. The majority of Eastbrooke is already sold as well.

**Q: What is the projected construction timeframe?**

It is a bit too soon but we will submit construction plans after approval. Infrastructure can take 6 months to a year but 1-2 yrs for houses.

**Q: What is the market saying for post pandemic? Will there be a correction in the market? What if there is another 2008 recession?**

We have 9 companies and we have done our best through Berkshire Hathaway to account for that. The plan is associated with the zoning so changes to it would require us to go through this process again for approval.

**Q: Would it be possible to be reconfigured to have the larger lots up at Hubach Hill? Is this going to be contoured or tiered or leveled?**

There will be grading but follow contours. The trees are majority to the south near the floodplain and will be preserved.

**Q: This doesn't lend itself to tree shade because there is so little yard to actually have a tree?**

We understand this isn't for everyone but this gives an option for people.

**Q: People don't want big homes next to smaller homes?**

We aren't projecting that people want this, we have these communities and they are selling and they have swings and options in pricing.

**Q: What is your oldest development?**

Early 2000's Stoney Creek in Lee's Summit, price is \$300 up and one just sold for \$800,000. Over 800 homes.

**Q: In the community area there look to be soccer fields, will this only be for community?**

Yes and it would be managed by the HOA.

**Q: Traffic will be a nightmare. How will this be handled?**

This traffic was accounted for and the engineering is there to show that.

**Q: Where will you start?**

Amenity area will be first. Then a loop around going South, then on the northern side of the amenity area going straight West. The property will be developed from the center out. All 3 home types and price points will be started at once.

**Q: What do you plan for your buffers for perimeter roads?**

That is the purpose of the landscape buffer and will range from green giant, deciduous trees, and some berming.

**Q: Will there be sidewalks?**

Yes and it will be Over 60' from street to lot line along Hubach Hill Road.

**Q: We would want berming and such off of Lucy Webb?**

Yes we plan to do that and create a streetscape.

**Q: When will that landscaping go in?**

As the houses and phasing is done

**Q: What is the phasing?**

8 phases potentially

**Q: 3 car garages where?**

Product A will have 3 car garages.

## **STAFF COMMENTS**

1. The request to reclassify the zoning of the property to "PUD" Planned Unit Development District, allows for the land to be divided into distinctive geographic areas (the three product areas) differentiated by lot sizes and home sizes. The

PUD allows for flexibility in the design of buildings, yards, courts and circulation in exchange for the provision of platted common open space, amenities and design excellence.

2. The requirements specific to PUD districts, outlined in Section 415.060 and Section 470.050 of the Unified Development Code (UDC), have been complied with. An adequate circulation system is provided; a traffic study was completed as part of the Hubach Hill Road improvements completed in 2010; there are adequate public services to serve the development; and buffering has been provided along Hubach Hill Road and Brook Parkway.
3. The subject property is part of the Good Ranch Master Planned Community and has been planned for residential development since 1994.
4. The Future Land Use Plan map of the Growth Management Plan designates low density residential as the appropriate land use. Low density residential allows up to 4 dwelling units per acre.
5. The request for the PUD zoning designation requires submittal of a preliminary plan. The preliminary plan establishes the location of the various “pods” of the subdivision and determines where the “narrow” lots can be located. Any future modifications to the preliminary plan would require approval from the City Council.
6. The following subdivisions have been approved for R-1P and PUD zoning that allows for single family homes on smaller lots with reduced lot widths and reduced side yard setbacks, as is the housing trend in the Kansas City area:

	Minimum Lot Size (sq.ft.)	Minimum Lot Width (ft)	Minimum Side Yard Setback (ft)	Density of Subdivision (dwelling units/acre)
Eastbrooke at Creekmoor	4,500	40	5	3.99
Saddlebrook (proposed)	4,500	45	5	2.65
<b>Sendera (proposed)</b>	<b>4,800</b>	<b>40</b>	<b>5</b>	<b>3.17</b>
Park Side	6,000	50	7	2.06
Morningview	5,000	50	5	4.62
Ramblewood	6,000	50	5	2.37
Shadowood	6,000	50	6	2.56
Alexander Creek	6,000	60	5	2.57
Chateau Place	6,600	50	5	4.0
Prairie View of The Good Ranch	7,200	60	6	1.86

7. The uses permitted in the proposed PUD district are single-family detached homes.

8. The current “P” overlay district development standards applicable to the property and the proposed modifications of the development standards are shown below:

	CURRENT R-1P	PROPOSED PUD
<b>Minimum Lot Area</b>		
square feet	6,600	4,800
<b>Minimum Lot Width (feet)</b>	55	40
<b>Minimum Lot Depth (feet)</b>	100	100
<b>Yards, Minimum (feet)</b>		
front	25	25
rear	25	20
side	10% of lot width, 5ft min	5ft
side, corner lot	20	15
<b>Maximum Building Height (feet)</b>	35	35
<b>Maximum Building Coverage (%)</b>	42.2	40

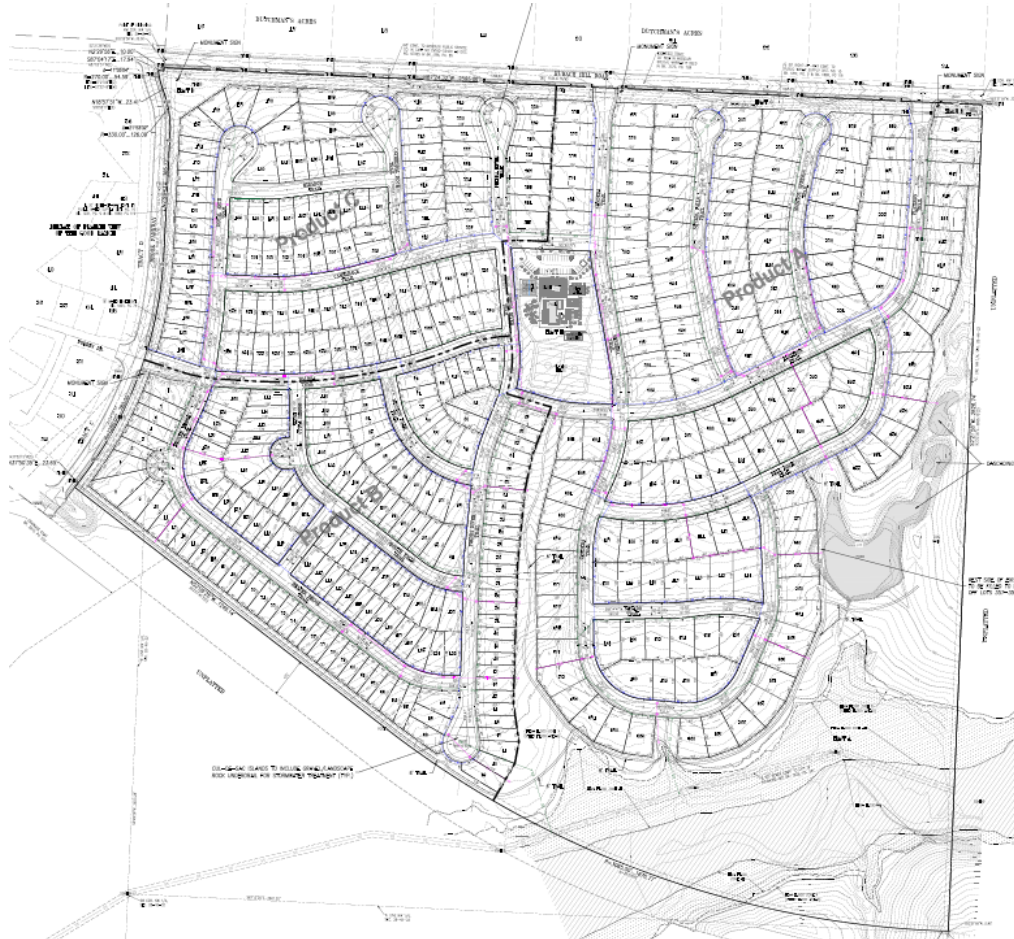
9. There are 3 distinct geographic areas within the proposed Sendera subdivision of differing lot sizes and lot widths.

	Proposed # of Lots	Minimum Lot Size (sq.ft.)	Minimum Lot Width (ft)
Product A (Trailside)	160	9,100	70
Product B (Colony)	160	4,800	40
Product C (Enclave)	110	5,760	48

10. 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 Subdivision will be served water by Water District #10 and has begun coordination with the Water District.
11. The rezoning request, including the preliminary plan, 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”.
12. The rezoning request, including the preliminary plan, was submitted to the South Metropolitan Fire Protection District. Comments provided by the District were incorporated into the submitted preliminary plan.
13. The subdivision adjacency requirements of the Unified Development Code have been met for the existing lots in The Prairie of the Good Ranch Subdivision. The adjacency requirements do not apply to the lots within the Dutchman Acres subdivision to the north because the lots are not located within the City limits.
14. The conceptual plan for Sendera that was shared as part of the Good Neighbor meeting proposed 428 single-family dwellings with a minimum 40’ lot width and



three housing product types. The housing was concentrated around the amenity area at the center of the subdivision. This conceptual plan was slightly modified after the meeting by incorporating the teardrop cul-de-sac design on most cul-de-sacs, adding a street connection, and increasing the lot count to 430, and was submitted as the preliminary plat.



15. Hubach Hill road was improved to minor arterial standards in 2010. The proposed subdivision is located within the Hubach Hill & North Cass Parkway Community Improvement District, which provided funding for the road improvements. A property tax assessment to reimburse costs associated with the construction of Hubach Hill road will be added to all lots established within the proposed subdivision.

16. Design for the Hubach Hill improvements utilized the City land use plan designations to set trip generation counts for properties that would connect to, or be served by, the roadway. The road is designed to support full development of the subject property at 4 dwelling units per acre, which is a higher density than the 3.17 units per acre proposed in the subdivision. The road is also designed to handle development of the remaining parcels of land in The Good Ranch as well as traffic from land areas further east.

17. The Estates of The Good Ranch Master Development Agreement, approved by the City in 2014, establishes the requirements for stream buffer protection and stormwater management for any development upon the subject property. The agreement is binding upon the current land owner and any successors. The proposed preliminary plan complies with the development agreement.
18. The Good Ranch Memorandum of Understanding established the requirements for park land dedication for any development within The Good Ranch. The park land dedication requirement for the proposed subdivision is met through the dedication of the identified tracts on the land use plan reserved for open space and parkland. There is a 137 acre tract of land to the southwest of the subdivision that is reserved for open space and a future park.
19. A total of 36.74 acres, or 27%, of the entire site is provided as common open space to be maintained by the Homeowner's Association.
20. The preliminary plan identifies amenities proposed for the subdivision:
  - a. Clubhouse
  - b. Swimming pool
  - c. Playground
  - d. Sport courts
  - e. Playing fields
  - f. Walking trails
  - g. Buffer areas along Hubach Hill Road and Brook Parkway
  - h. Cascading pools for stormwater control
21. A Memorandum of Understanding has been prepared for the subdivision. The MOU outlines the requirements and responsibilities of the City and of the developer. The MOU outlines the timing for construction of all public improvements and amenities.

## **ENGINEERING DIVISION RECOMMENDATION**

See attached memorandum.

## **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 preliminary development plan's consistency with the Growth Management Plan and all other adopted plans and policies of the City;**

The Growth Management Plan identifies this property as appropriate for low density residential development, defined as detached single-family residential. The strategic plan also outlines the goal of housing diversity while maintaining a sense of community which this subdivision works to achieve with its centrally located amenity area. The

proposed zoning map amendment allows for various single family home products at a range of prices and affordability which aids in the goal of housing diversity..

**2. the preliminary development plan's consistency with the PUD standards of Section 415.060, including the statement of purpose;**

The purpose of the PUD zoning is to allow flexibility in design in exchange for open space, amenities and design excellence. The three product mix accomplishes this while the central location and incorporation of the pool, play area, fields, and other amenities allows for central open space and circulation throughout the subdivision.

**3. the nature and extent of common open space in the PUD;**

The property totals 135 acres with approximately 36.74 acres being dedicated to open space. The amenities are centrally located in open space as well as cascading ponds that aid in filtering and draining water to the natural stream at the southeast of the property in another common open space. This accounts for approximately 27% open space for the entire property.

**4. the reliability of the proposals for maintenance and conservation of common open space;**

The Memorandum of Understanding outlines the maintenance of all common open spaces, helping to make sure that the space is preserved and well-kept.

**5. the adequacy or inadequacy of the amount and function of common open space in terms of the densities and dwelling types proposed in the plan;**

The amount of common open space allows for a lower density of 3.17 units per acre. The layout of the open space also allows for a unique community feel as well as a purposeful mix of single family dwelling types that has not yet been developed in Raymore.

**6. whether the preliminary development plan makes adequate provision for public services, provides adequate control over vehicular traffic, and furthers the amenities of light and air, recreation and visual enjoyment;**

The layout and density of the proposed development lessens the previously accounted for traffic onto Hubach Hill Road providing better control of vehicular traffic. Brook Parkway will be extended through the north 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. The extensive trail system and water features allow for ample light, air and community recreation and enjoyment throughout the property.

**7. whether the preliminary development plan will have a substantially adverse effect on adjacent property and the development or conservation of the neighborhood area;**

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), rural residential to the north (Dutchman Acres, which is not within the City of Raymore), residential to the west (Prairie of the Good Ranch) and natural open space to the south. The property has been planned for residential development since 1994 and this proposal is less dense (3.17 units per acre versus the planned 4 units per acre) than the Growth management Plan

accounted for. Generally additional housing and amenities of this nature help to raise property values in adjacent neighborhoods rather than devalue them.

**8. whether potential adverse impacts have been mitigated to the maximum practical extent;**

The lots along Hubach Hill Road are oriented to face East/West and therefore the longest portion of the lot (96 feet to 218 feet in length) rather than the rear or front of a lot (40 feet to 70 feet in length) are across from unincorporated county lots. Landscape buffers and an 8 foot pedestrian walkway along Hubach Hill Road provide additional screening as well.

**9. whether the preliminary development plan represents such a unique development proposal that it could not have accomplished through the use of (non-PUD) conventional Unified Development Code;**

The purpose of the PUD zoning is to allow flexibility in design in exchange for open space, amenities and design excellence. The three product mix that is being proposed is not something Raymore has previously seen could not have been cohesively developed without a PUD rezoning. Additionally the central location and incorporation of the pool, play area, fields, and other amenities allows for central open space and creates a community that would not have prioritized the open space as a PUD rezoning does.

**10. the sufficiency of the terms and conditions proposed to protect the interest of the public and the residents of the PUD in the case of a plan that proposes development over a period of years.**

The Memorandum of Understanding acts to outline the development of the property, ensuring that infrastructure, amenities and phases are completed according to an agreed upon schedule that prioritizes the necessary infrastructure, amenities and open space throughout construction.

## REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u>	<u>Planning Commission</u>	<u>City Council 1<sup>st</sup></u>	<u>City Council 2<sup>nd</sup></u>
Public Hearing	July 20, 2021	August 9, 2021	August 23, 2021

## STAFF RECOMMENDATION

City staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and forward case #21016, rezoning of the existing “R-1P” Single-Family Residential Planned District to “PUD” Planned Unit Development District for the approximately 135 acre property to be known as the Sendera subdivision, to City Council with a recommendation of approval.

## **PLANNING AND ZONING COMMISSION RECOMMENDATION**

The Planning and Zoning Commission, at its July 20, 2021 meeting, voted 5-4 to accept the staff proposed findings of fact and forward case #21017, rezoning of the existing “R-1P” Single-Family Residential Planned District to “PUD” Planned Unit Development District for the approximately 135 acre property to be known as the Sendera subdivision, to City Council with a recommendation of approval.

## **CITY COUNCIL ACTION 1ST READING - 8/9/2021**

The City Council, at its August 9, 2021 meeting, voted 7-0 to accept the Planning and Zoning Commission proposed findings of fact and approved case #21017, rezoning of the existing “R-1P” Single-Family Residential Planned District to “PUD” Planned Unit Development District for the approximately 135 acre property to be known as the Sendera subdivision on 1st reading.

## **CITY COUNCIL ACTION 2ND READING - 8/23/2021**

The City Council, at its August 23, 2021 meeting, voted 8-0 to accept the Planning and Zoning Commission proposed findings of fact and approved case #21017, rezoning of the existing “R-1P” Single-Family Residential Planned District to “PUD” Planned Unit Development District for the approximately 135 acre property to be known as the Sendera subdivision on 2nd reading.