



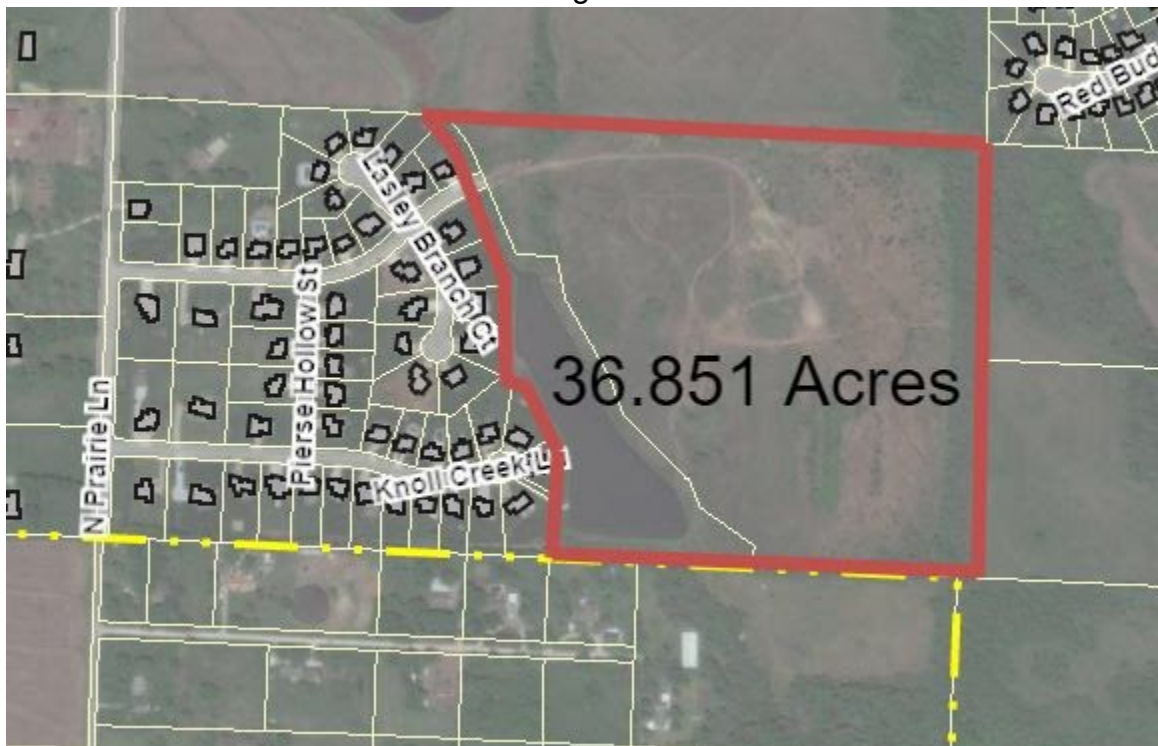
To: City Council
From: Planning and Zoning Commission
Date: December 13, 2021
Re: Case #21036: The Estates at Knoll Creek - Preliminary Plat

GENERAL INFORMATION

Applicant/Property Owner: Tyler Sallee
Sallee Real Estate Investments LLC.
PO Box 6437
Lee's Summit, MO 64064

Requested Action: Preliminary Plat Approval for 36.851 Acres

Property Location: Generally located at the undeveloped land east of existing Estates at Knoll Creek Subdivision.



Existing Zoning: "R-1" Single-Family Residential District



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

Total Tract Size: 36.851 Acres

Total Number of Lots: 76 lots & 5 tracts

Legal Description: All that part of the Southwest Quarter of Section 12, Township 46 North, Range 32 West, in the City of Raymore, Cass County, Missouri described by Jed A.M. Baughman, Missouri PLS-2014020708 of Renaissance Infrastructure Consulting as follows:

Commencing at the Southeast Corner of said Section 12; Thence North 87° 17'57"

West, along the South line of the Southeast Quarter of said Section 12, a distance of 2700.95 feet to the South Quarter Corner of said Section 12, said point being the point of Beginning; thence North 87°21'58" West, along the South line of the Southwest Quarter of said Section 12, a distance of 702.36 feet to a point on the East line of THE ESTATES AT KNOLL CREEK, a subdivision in said Cass County, Missouri; thence along said East line for the following eleven courses: thence North 18°48'29" East, a distance of 56.31 feet; thence North 54°39'33" West, a distance of 217.52 feet; thence North 21°55'22" West, a distance of 91.42 feet; thence North 44°54'37" West, a distance of 263.18 feet; thence North 20°48'00" West, a distance of 134.15 feet; thence North 29°43'27" West, a distance of 263.88 feet; thence North 11°56'01" West, a distance of 135.21 feet; thence North 87°44'17" West, a distance of 121.28 feet; thence North 22°44'20" West, a distance of 224.51 feet; thence North 24°13'33" West, a distance of 142.40 feet; thence North 37°43'40" West, a distance of 116.37 feet to a point on the North line of the South Half of the Southwest Quarter of said Section 12; thence South 87°08'32" East, along said North line, a distance of 1680.34 feet to the Northeast Corner of said South Half; thence South 02°18'59" West, along the East line of said South half, a distance of 1320.50 feet to the Point of Beginning, containing 1,605,250 square feet, or 36.851 acres, more or less.

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 N. Prairie Lane as a Major Collector and Hall's Creek Avenue as a local road.

Advertisement: October 28, 2021 **Journal** newspaper
November 25, 2021 **Journal** newspaper

Good Neighbor: October 27, 2021

Public Hearing: November 16, 2021 Planning Commission meeting
December 13, 2021 City Council

Items of Record: **Exhibit 1. Mailed Notices to Adjoining Property Owner**
Exhibit 2. Notice of Publication
Exhibit 3. Unified Development Code
Exhibit 4. Application
Exhibit 5. Growth Management Plan
Exhibit 6. Staff Report
Exhibit 7. Preliminary Plat
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 Development Services 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 Development Services 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 Development Services 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 Development Services 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 Development Services 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 Development Services Director.

5. City Council Public Hearing

The Raymore City Council must hold a public hearing on the application in accordance with Section 470.010E1b through d and E2.

6. City Council Action

- a.** The City Council must consider the request within 60 days of receipt of written recommendation of the Planning and Zoning Commission. Upon receipt of the recommendation of the Planning and Zoning Commission, the City Council must consider the application and may take final action to approve or disapprove it.
- b.** If final action is not taken by the City Council within 120 days after the recommendation of the Planning and Zoning Commission is submitted to it, the preliminary plat will be deemed to have been defeated and denied, unless the applicant has consented to an extension of this time period. Whenever a preliminary plat is defeated, either by vote of the City Council or by inaction described in this section, such preliminary plat cannot be passed without another public hearing that is noticed in accordance with this chapter.
- c.** If the City Council approves an application, it will adopt a resolution to that effect.

7. Findings of Fact

In its deliberation of a request, the Planning and Zoning Commission and City Council must make findings of fact taking into consideration the following:

- a. the preliminary plat will not adversely affect the appropriate use of neighboring property;
- b. the preliminary plat is in compliance with all applicable regulations of the Unified Development Code, Growth Management Plan, and other City regulations and plans;
- c. the preliminary plat will not impose undue burden upon existing public services and facilities; and
- d. the preliminary plat will make adequate provision to accommodate resulting additional demands which may be imposed upon roads and streets, water supply and storage, storm sewerage, sanitary sewerage, and wastewater treatment without substantially increasing public costs and expenditures.

8. Effect of Approval of Preliminary Plat

a. Approval of the preliminary plat does not constitute final acceptance of the subdivision by the City Council, but will be considered permission to prepare and submit a final plat. Preliminary plat approval will be effective for no more than one year from the date approval was granted unless:

- (1) a final plat application is submitted within one year of the date of preliminary plat approval;
- (2) upon the request of the subdivider, the City Council grants an extension; or
- (3) final plat applications are submitted in accordance with the requirements for staged development of final plats in accordance with Section 470.130E.

b. If preliminary plat approval expires, the preliminary plat must be re-submitted as if no such plat had ever been approved.

9. Extension of Preliminary Plat

An applicant must request that the City Council grant an extension of an approved preliminary plat prior to the expiration date of the preliminary plat. An extension of the preliminary plat can only be requested if it remains unchanged from last acceptance. A request for extension does not require submission of a new application fee or a public hearing

PREVIOUS PLANNING ACTIONS ON OR NEAR THE PROPERTY

1. The property was rezoned from "A" Agriculture District to "R-1" Single Family Residential District on October 13, 2003.
2. The original Preliminary Plat for The Estates at Knoll Creek was approved on October 13, 2003. There were three phases proposed for the subdivision, with 56 homes in Phase 1.
3. The final plat for Phase 1 was approved on May 10, 2004. All 56 lots have been developed.

4. The original Estates at Knoll Creek preliminary plat expired on May 10, 2006.

GOOD NEIGHBOR INFORMATIONAL MEETING COMMENTS

A Good Neighbor meeting was held on Wednesday October 27, 2021 in the Council Chambers and 15 people attended. Applicant Tyler Sallee and Project Engineer Dustin Burton and Jordan Williams also attended to make the presentation and answer questions and concerns. City Planner Dylan Eppert represented City staff. The comments below provide a summary of the meeting:

Tyler Sallee began the meeting by briefly explaining the project. The project is an extension of the existing Estates at Knoll Creek to the west. The plan is to split this development into Phase two and Phase three. All lots will conform to the standard "R-1" Single Family Residential District. There will be a range of builders doing ranch, two-story and split entry level homes.

Attendees had the following questions regarding the project:

- 1. What will the minimum square footage requirements be for the houses?**

Tyler Sallee- Minimum would be 1500 square feet for a ranch and 2400 square feet for a 2 story home.

- 2. What is the minimum lot size for the proposed subdivision?**

Tyler Sallee- 8400 square feet.

- 3. Would the existing residents in the 1st phase of Knoll Creek have access to the pond?**

Tyler Sallee: Yes, residents from both the 1st and 2nd plat would have access to the pond.

- 4. Will there be a walking trail around the pond?**

Tyler Sallee: Yes a walking trail would be constructed around the pond and would be available for both 1st and 2nd plat residents. .

- 5. There were questions regarding Home Owners Association (HOA)?**

Tyler Sallee: My preference is to have the HOA be a part of the current HOA and not have two separate HOA's in the same neighborhood.

- 6. What green space will be provided?**

Tyler Sallee: Most of the green space will be minor improvements to the pond (mostly on the east side), the walking trail and the BMP's that the City is requiring.

7. Who would be the owner of the pond?

Tyler Sallee: I (Tyler Sallee) would be the owner of the pond until a point in which he could deed the pond responsibility to the HOA.

8. Is there a plan to have a pool?

Tyler Sallee: There is not a plan to have a pool in this subdivision at all. Sallee did go into some detail explaining why, ultimately the cost would be too much for a subdivision of this size.

9. What assurance do we have that the access point proposed at the southeast corner will be constructed?

Dylan Eppert: There is not a whole lot of assurance that the proposed southeast access point will be connected as Alexander Creek would have to have their portion of the subdivision approved which may not be for some time. City Staff tries to plan for future development and with Tyler Sallee he owns this property and Alexander Creek, so City Staff came up with providing a road that would connect to Ward Rd to the east and Prairie Lane to the west. There are a number of subdivisions that only have one ingress/egress access. Alexander Creek for instance and they have 4 phases.

10. Does the Fire Code require the subdivision to have two ingress/egress access roads?

Dylan Eppert: Initially, I spoke and said yes but then was able to give examples of other subdivisions that have one ingress/egress road.

11. What builders will be doing work in this proposed 2nd Phase?

Tyler Sallee: The builders will be the same as the one's being used in Alexander Creek. Two of the proposed builders are Titan Construction and Elevate, Design + Build.

12. What will the price point be for the houses being built in this phase?

Tyler Sallee: \$400,000.

13. Again the pool was brought up and just wanted to make sure that there would be no pool?

Tyler Sallee: There are no plans to construct a pool.

Dylan Eppert: After checking through our records it does appear that a pool was originally proposed but was not something that was required by the City at the time and would have been solely on the developer to construct.

14. The Property Owner to the South of the development was concerned about flooding issues from the existing pond?

Tyler Sallee: Engineering is working on this portion and had Dustin Burton speak.

Dustin Burton: We are working with the City on BMP's and will follow city code.

15. Property owner to the south asked about the access point that leads directly into his property?

Tyler Sallee: Was not sure if they will even keep that access point.

Dylan Eppert: The preliminary plat that was approved back in 2004 shows that access point to existing (back then Neely Ln). It has been portrayed to the developer that City Staff is not supportive of removing the proposed Normandy Drive.

PARKS AND RECREATION BOARD RECOMMENDATION

In June of 2003, with the original preliminary plat for The Estates at Knoll Creek, the Parks and Recreation Board voted to give the developer a credit for recreational amenities planned in the proposed subdivision. Credit was given to 50% of the acreage in the tract on which the fishing ponds and trail were shown. The credit for amenities provided was in the amount of 7.366 Acres and the fee-in-lieu payment was in the amount of \$16,330. The requirements for Phase 1 were met.

On November 9, 2021, for the new Estates at Knoll Creek Preliminary Plat, the Parks and Recreation Board voted 7-0 to accept a fee-in-lieu of parkland dedication in the amount of \$80,256 which is to be paid at the time the Final Plat is recorded.

STAFF COMMENTS

1. The property has been zoned "R-1" Single-Family Residential District since October 13, 2003.
2. The subject property is located within the territorial area of the Cass County Public Water Supply District #3. The applicant is aware that the entire The Estates of Knoll Creek Subdivision will be served water by Water District #3.

3. Temporary cul-de-sacs will need to be constructed on the east end of Hall's Creek Ave; the southern end of Citadel Place; and at the southern end of Normandy Drive.
4. The uses permitted in the proposed R-1 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	

Use	R-1	Use Standard
School	P	
Utilities		
Major	C	
Minor	P	
COMMERCIAL USES		
Animal Services		
Kennel	–	Section 420.030E
Day Care		
Day Care Home	S	Section 420.030C
Entertainment and Spectator Sports		
Indoor	–	
Outdoor	-	
Funeral and Interment Services		
Cemetery	C	
Funeral Home	–	
Lodging		

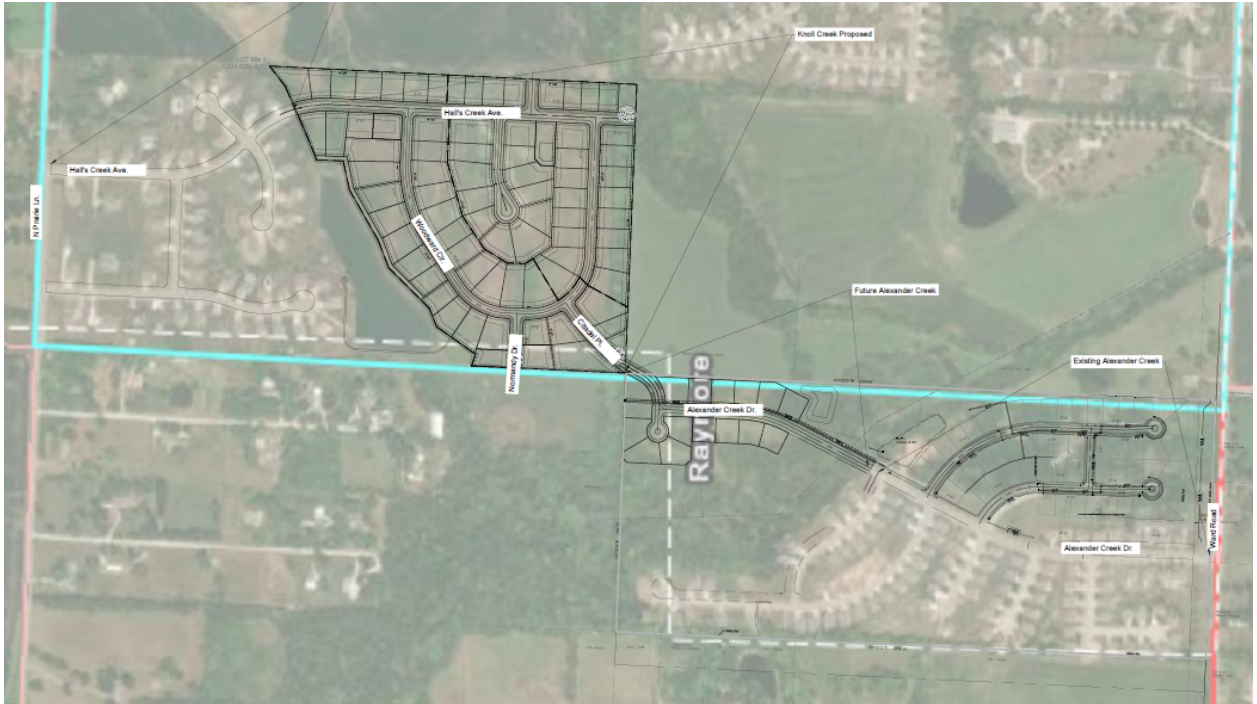
Bed and Breakfast	–	Section 420.030H
Medical Marijuana Cultivation Facility	–	Section 420.030N
Sports and Recreation, Participant		
Outdoor	C	
Indoor	–	
OTHER USES		
Accessory Uses	S	Section 420.050
Agricultural Uses		
Farming	–	
Boarding Stables and Riding Schools	–	Section 420.040A
Home Occupation	S	Section 420.040B
Parking		
Accessory Parking	P	
Wireless Communication Facility		Section 420.040C
Colocated	S	

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

R-1	
Minimum Lot Area	
square feet	8,400 sq ft
Minimum Lot Width (feet)	70
Minimum Lot Depth (feet)	100
Yards, Minimum (feet)	
front	30
rear	30
side	10
Maximum Building Height (feet)	35
Maximum Building Coverage (%)	30

6. The preliminary plat request was submitted to the South Metropolitan Fire Protection District for review. Comments were as follows:
- a. The Fire Marshal requests that the fire hydrant be located at lot 111.
 - b. The island in the “Tear Drop” style cul-de-sac will have pavers instead of grass.
7. Stormwater will be maintained through the pond located on the west side of the proposed subdivision with an existing overflow to the south of the subdivision. A Detention Area Agreement allows Phase 2 and Phase 3 of the subdivision to utilize the existing stormwater detention basin. The existing basin was designed and sized to handle the stormwater runoff from the entire subdivision.
8. The pond would be the responsibility of the applicant (Tyler Sallee) to maintain until such time the ponds are deeded over to the Home Owners Association. A maintenance agreement is required.

9. A Memorandum of Understanding (MOU) has been prepared that outlines the responsibilities of the developer.
10. A seven-foot (7') walking trail is to be constructed around the ponds as shown on the preliminary plat drawing. The trail will be required to be installed with the installation of public improvements for the first phase of the subdivision.
11. Citadel Place is designed to allow future connection to the extension of Alexander Creek Drive in the Alexander Creek Subdivision.



12. Craig's Glen Drive, Hall's Creek Drive, and Normandy Drive are all designed to allow for future extension onto adjacent undeveloped land. The UDC requires utility extensions to adjacent property coincident with the street extensions.

PLANNING COMMISSION PROPOSED FINDINGS OF FACT

Under Section 470.110 of the Unified Development Code, the Planning and Zoning Commission and City Council is directed concerning its actions in dealing with a preliminary plat request. Under 470.110 (C) (7) the Planning and Zoning Commission and City Council is directed to make findings of fact taking into consideration the following:

- 1. the preliminary plat will not adversely affect the appropriate use of neighboring property;**

The preliminary plat will not adversely affect the appropriate use of neighboring properties. The property has always been intended to be developed for single-family residential use.

2. the preliminary plat is in compliance with all applicable regulations of the Unified Development Code, Growth Management Plan, and other City regulations and plans;

The preliminary plat is in compliance with all applicable regulations of the Unified Development Code, Growth Management Plan, and other City regulations and plans. The proposed lots comply with the development standards for the underlying zoning district, and the proposed land uses are consistent with the Future Land Use Map adopted by the City.

3. the preliminary plat will not impose undue burden upon existing public services and facilities; and

The preliminary plat will not impose undue burden upon existing public services and facilities. Infrastructure to serve the property has been sized to meet the future demands for service to the property.

4. the preliminary plat will make adequate provision to accommodate resulting additional demands which may be imposed upon roads and streets, water supply and storage, storm sewerage, sanitary sewerage, and wastewater treatment without substantially increasing public costs and expenditures.

There is sufficient capacity in the water and sanitary sewer systems to support full development of the property. The road network was designed to accommodate full development of the property, or is being extended to serve the development.

REVIEW OF INFORMATION AND SCHEDULE

Action
Public Hearing

Planning Commission
November 16, 2021

City Council
December 13, 2021

STAFF RECOMMENDATION

City Staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and forward case #21036 The Estates at Knoll Creek Subdivision - Preliminary Plat to the City Council with a recommendation of approval, subject to the following condition:

1. Documentation shall be provided to the City prior to consideration of the preliminary plat by City Council of an agreement that the applicant (Tyler Sallee)

has access rights to utilize the existing stormwater detention basin located upon Tract C of The Estates at Knoll Creek first plat.

PLANNING AND ZONING COMMISSION RECOMMENDATION

The Planning and Zoning Commission, at its November 16, 2021 meeting, voted 9-0 to accept the staff proposed findings of fact and forward case #21036 The Estates at Knoll Creek Subdivision - Preliminary Plat to the City Council with a recommendation of approval, subject to the following condition:

1. Documentation shall be provided to the City prior to consideration of the preliminary plat by City Council of an agreement that the applicant (Tyler Sallee) has access rights to utilize the existing stormwater detention basin located upon Tract C of The Estates at Knoll Creek first plat.

CITY COUNCIL ACTION - 12/10/2021

The City Council, at its December 13, 2021 meeting, voted 8-0 to accept the Planning and Zoning Commission proposed findings of fact and approved case #21036 The Estates at Knoll Creek Subdivision - Preliminary Plat.