



**To:** City Council  
**From:** Planning and Zoning Commission  
**Date:** November 14, 2016  
**Re:** Case #16020 - Evan-Brook 7th Preliminary Plat

## GENERAL INFORMATION

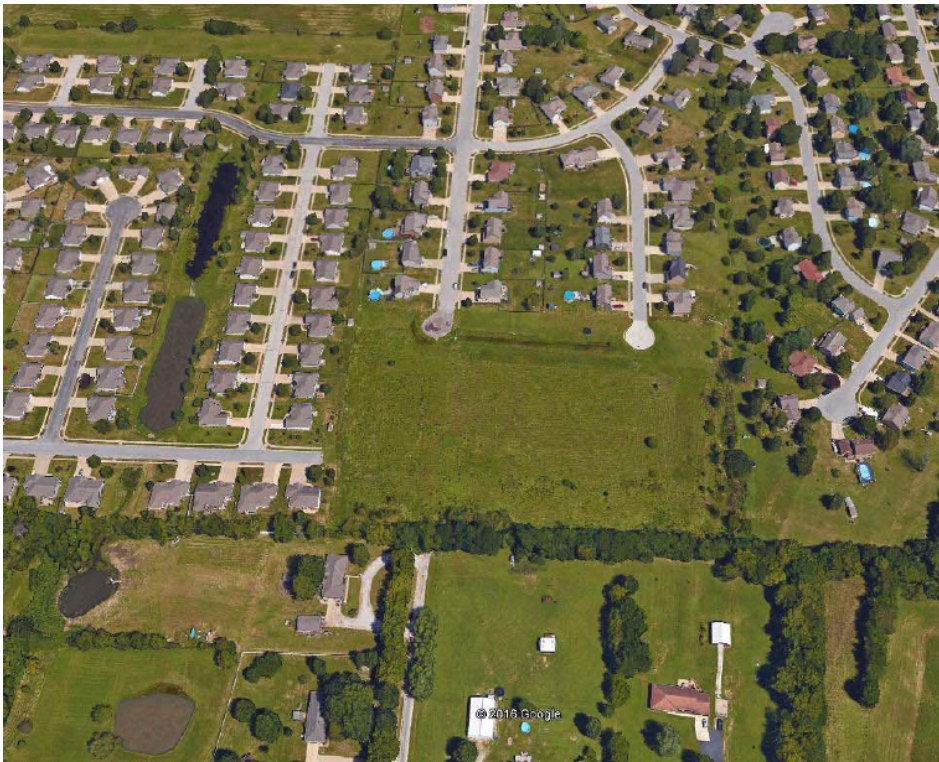
**Applicant/Owner:** Cass Evans  
103 N. Evans Avenue  
Raymore, MO 64083

**Requested Action:** Preliminary Plat Approval for Evan-Brook 7th

**Property Location:** Sunset Lane and Bristol Drive area



# 2016 Aerial Photograph



Google Earth view of property

**Site Photographs:**



View looking east from end of Bristol Drive



View looking southeast at Dutchman Acres from end of Bristol Drive



View looking south at Dutchman Acres from end of Sunset Lane.



View looking east from Sunset



View looking south from end of Cindy Lane

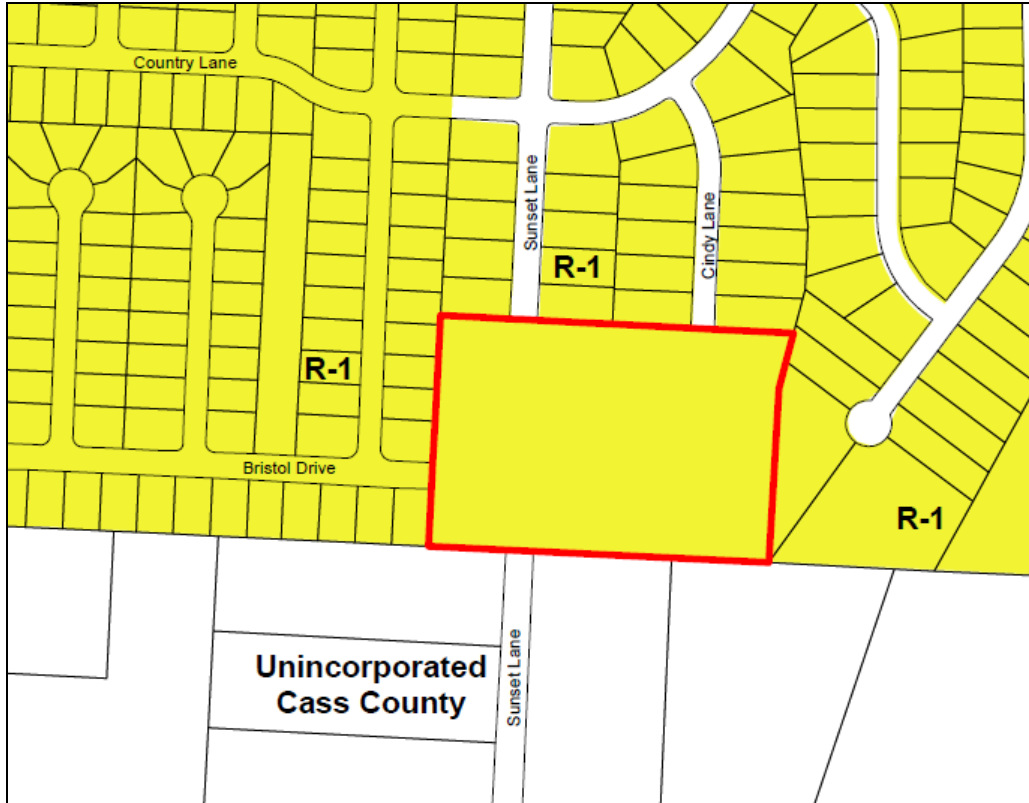


View looking north at swale/stream on east side of subject property



View looking south at swale/stream on east side of subject property (Tract A on plat)

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



## **Surrounding Zoning:**

**North:** R-1 – Single-Family Residential

**South:** Unincorporated Cass County

**East:** R-1 – Single Family Residential

**West:** R-1 - Single Family Residential

**Tract Size:** 8.62 acres  
**Total Lots:** 24 Single Family Lots  
**Density:** 2.78 units per acre

## **Legal Description:**

Part of the Northeast Quarter and part of the Northwest Quarter of Section 21, Township 46N, Range 32W, in the City of Raymore, Cass County, Missouri, described as follows:

Commencing at the Northwest corner of the Northeast Quarter of Section 21, thence South 02 degrees 46 minutes 00 seconds West, along the West line, 2155.69 feet to the Southeast corner of Lot 178 of "EVAN-BROOK, Lots 171 thru 203" a recorded plat in the City of Raymore, Cass County, Missouri, and the POINT OF BEGINNING; thence South 87 degrees 14 minutes 00 seconds East, along the South line of the plat, 617.32 feet to the Southeast corner of Lot 203 and a point on the West line of Lot 71 of "EVAN-BROOK, Lots 63 thru 92" a recorded plat in the City of Raymore, Cass County, Missouri; thence South 14 degrees 37 minutes 23 seconds West, along the West line of Lots 71 and 70, 124.32 feet to the angle point in the West line of Lot 70; thence South 03 degrees 12 minutes 15 seconds West, along the West line of Lot 70, 381.53 feet to the Southwest corner of Lot 70, said point also being on the South line of the Northeast quarter of Section 21; thence North 87 degrees 26 minutes 52 seconds West, along the South line, 588.85 feet to the Southwest corner of the Northeast Quarter, the Southeast corner of the Northwest Quarter, and the Northeast corner of "DUTCHMAN'S ACRES Lots 16 thru 58" a recorded plat in the City of Raymore, Cass County, Missouri; thence North 87 degrees 26 minutes 51 seconds West along the North line of Lot 58, 150.02 feet to the Southeast corner of Lot 140 of "BROOKSIDE FOURTH PLAT" a recorded plat in the City of Raymore, Cass County, Missouri; thence North 02 degrees 46 minutes 00 seconds East, along the East line of the plat also being a line parallel with and 150.00 feet West of the East line of the Northwest Quarter of Section 21, 505.96 feet to a point on the East line of Lot 135, also being the Southwest corner of Lot 178 of "EVAN-BROOK Lots 171 thru 203"; thence South 87 degrees 14 minutes 00 seconds East, along the South line of the plat, to the POINT OF BEGINNING, containing 375,275 square feet or 8.62 acres more or less.

**Growth Management Plan:** The Future Land Use Plan Map contained in the Growth Management Plan identifies this property as appropriate for Low Density Residential Use.

**Major Street Plan:** The Street Classification Map contained in the Transportation Plan has Sunset Lane and Bristol Drive classified as a Minor Collector. Cindy Lane is classified as a Local Street.

**Advertisement:** September 29, 2016 **Journal** newspaper  
October 6, 2016 **Journal** newspaper

**Public Hearing:** October 18, 2016 Planning and Zoning Commission  
October 24, 2016 City Council

- Items of Record:**
- Exhibit 1. Mailed Notices to Adjoining Property Owners**
  - Exhibit 2. Notice of Publication**
  - Exhibit 3. Unified Development Code**
  - Exhibit 4. Application**
  - Exhibit 5. Growth Management Plan**
  - Exhibit 6. Staff Report**

**Additional exhibits as presented during hearing**

## **PROPOSAL**

The applicant is requesting preliminary plat approval for Evan-Brook 7th, a 24-lot single family subdivision proposed for property zoned R-1 “Single-Family Residential District” on 8.62 acres located south of Lucy Webb Road, east of the Brookside Subdivision. The 7th plat is the last phase of the Evan-Brook Subdivision.

## **PRELIMINARY PLAT REQUIREMENTS**

The following section of the Unified Development Code is applicable to this application:

### **Section 470.110: Preliminary Plats**

#### **A. Applications**

- 1.** An application for a preliminary plat may be obtained from the Community Development Director. The application must be completed in its entirety in accordance with Section 470.010C and submitted at least 60 days prior to the date of the meeting where it will be considered.
- 2.** For property in commercial or industrial zoning districts, the application must be submitted at least 30 days prior to the date of the meeting.

#### **B. Memorandum of Understanding**

A Memorandum of Understanding (MOU) may be required by the City for any preliminary plat application request.

#### **C. Procedure**

- 1. Pre-Application Conference**  
Prior to filing an application for a preliminary plat, the applicant must attend a pre-application conference in accordance with Section 470.010B.
- 2. Development Review Committee and Other Agency Review**



a. Upon receipt of a complete application, the Community Development Director will distribute copies of the preliminary plat and supportive information to the Development Review Committee. The application will be reviewed by the Development Review Committee for compliance with applicable regulations of this Code.

b. The Community Development Director will also distribute copies of the preliminary plat to the following governmental agencies, departments, and other persons as may be deemed appropriate for the particular proposed subdivision:

- (1) Fire District;
- (2) Police Department;
- (3) School District;
- (4) State Highway Department (if the subdivision is adjacent to a State Highway); and
- (5) any utility companies providing gas, electric or telephone service in or near the subdivision.

c. The agencies, departments and persons identified in this section will have a minimum of 10 working days to review the preliminary plat and to make their report and recommendations to the Planning and Zoning Commission.

d. If a report has not been returned to the office of the Community Development Director within 10 working days after receiving a plat for review, the proposed plat will be deemed to be in conformance with the laws, rules or policies of the reviewing agency or department.

### **3. Planning and Zoning Commission Public Hearing**

All proposed preliminary plats must be submitted to the Planning and Zoning Commission for review and recommendation. The Planning and Zoning Commission will hold a public hearing on the application in accordance with Section 470.010E

### **4. Planning and Zoning Commission Recommendation**

a. The Planning and Zoning Commission will consider the preliminary plat within 60 days of its receipt by the Community Development Director, or at the next regular meeting for which the plat may be scheduled.

b. The Planning and Zoning Commission will review and consider the reports and recommendations of the agencies, departments and persons to whom the preliminary plat has been submitted for review.

c. If the preliminary plat does comply with all requirements, the Planning and Zoning Commission will forward the application to the City Council with a recommendation of approval.

d. If the preliminary plat is in general, but not complete compliance, the Planning and Zoning Commission may recommend conditional acceptance of the preliminary plat. The conditions of such acceptance will specify the modifications necessary to achieve full compliance. The Planning and Zoning Commission will forward the

application to the City Council with a recommendation of approval, subject to conditions.

**e.** If the preliminary plat is not in compliance with all requirements, the Planning and Zoning Commission will recommend disapproval of the preliminary plat. Within 10 days of its final action, the Planning and Zoning Commission must notify the subdivider in writing of the reasons for its recommendation for disapproval.

**f.** If the preliminary plat is not recommended for approval, the subdivider may modify the preliminary plat and re-submit it to the Planning and Zoning Commission. If the plat is amended and re-submitted within 60 days of the disapproval of the original preliminary plat, no additional filing fee will be required. The Planning and Zoning Commission may reconsider the preliminary plat at a regular meeting for which the plat may be scheduled by the Community Development Director.

## **5. City Council Public Hearing**

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

## **6. City Council Action**

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

## **7. Findings of Fact**

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

- a.** the preliminary plat will not adversely affect the appropriate use of neighboring property;
- b.** the preliminary plat is in compliance with all applicable regulations of the Unified Development Code, Growth Management Plan, and other City regulations and plans;
- c.** the preliminary plat will not impose undue burden upon existing public services and facilities; and

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

## 8. Effect of Approval of Preliminary Plat

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

(1) a final plat application is submitted within one year of the date of preliminary plat approval;

(2) upon the request of the subdivider, the City Council grants an extension; or

(3) final plat applications are submitted in accordance with the requirements for staged development of final plats in accordance with Section 470.130E.

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

## 9. Extension of Preliminary Plat

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

## PREVIOUS PLANNING ACTIONS ON THE PROPERTY

1. The land area east of Sunset Lane was rezoned to "R-1" Single-Family Residential District on September 10, 1990. The land area on the west side of Sunset Lane was rezoned to R-1 on December 12, 1994.
2. A preliminary plat for all of the land in Evan-Brook subdivision east of Sunset Lane was approved on September 10, 1990. The preliminary plat for the lots on the west side of Sunset Lane was approved on December 12, 1994.
3. The most recent final plat in the Evan Brook Subdivision was the 6th plat, approved on August 10, 1998.

## GOOD NEIGHBOR INFORMATIONAL MEETING COMMENTS

A Good Neighbor informational meeting was held on Wednesday, September 28, 2016 in the City Council Chambers of the Raymore City Hall. Cass Evans, applicant for the project, and Rick Walker, engineer for the applicant, presented the application to 30+ individuals in attendance.

A preliminary plat and final plat for the project was presented. The preliminary plat and final plat both indicate a 24-lot single-family subdivision is proposed. A stormwater detention facility will be constructed in the southeast corner of the property. This facility will detain the stormwater that is generated by the new development.

Individuals attending the meeting had concerns about Sunset Lane becoming a through street and creating a safety issue for children; and concerns about stormwater issues they feel already exist and will be exasperated by the additional roads and homes.

## ENGINEERING DIVISION COMMENTS

See attached memorandum from the Engineering Division.

## STAFF COMMENTS

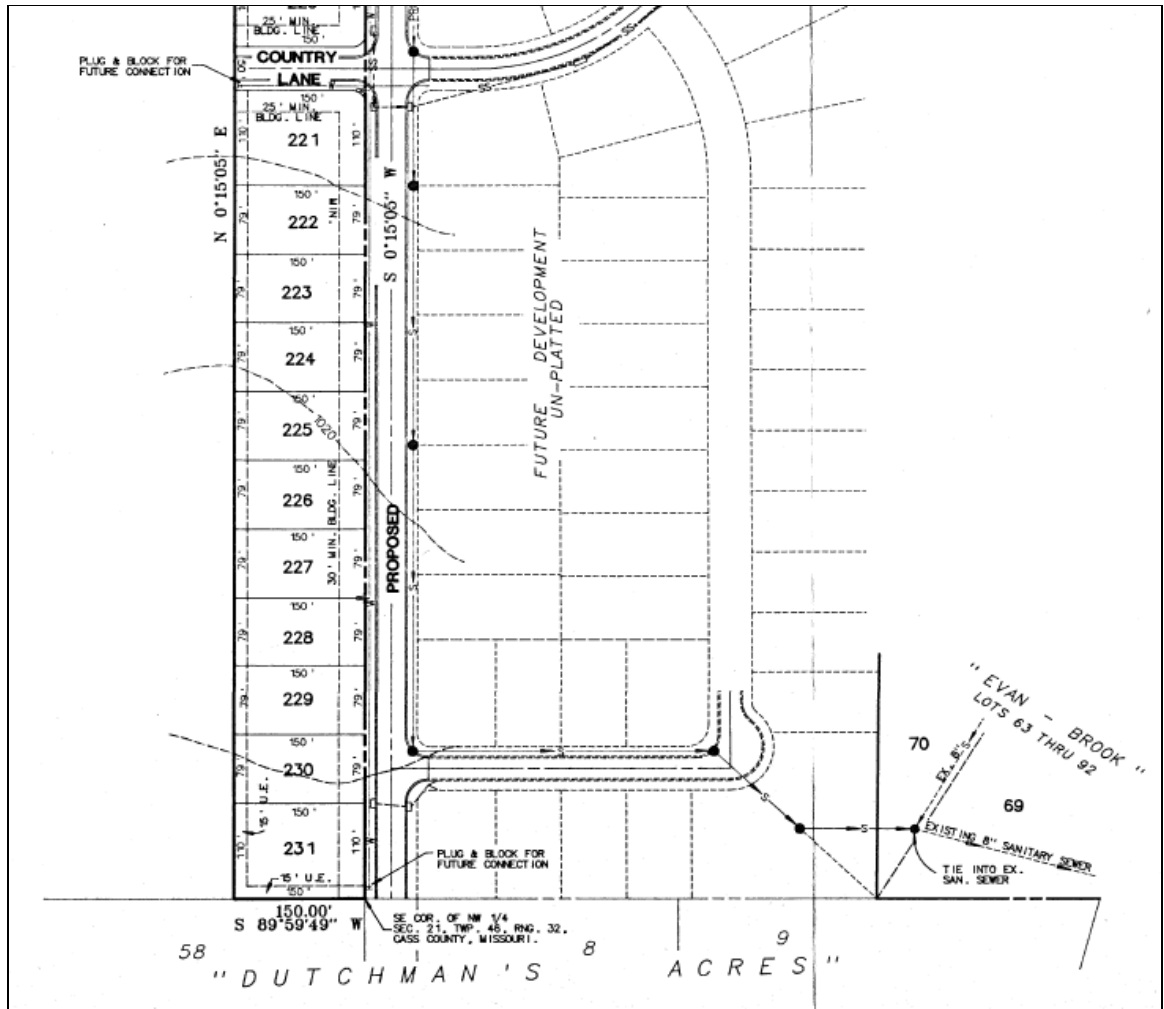
1. The Preliminary Plats that were approved in 1990 and 1994 have expired, thus requiring a new preliminary plat to be filed for the 7th phase.
2. The bulk and dimensional standards for the "R-1" Single-Family Residential District zoning classification for the property is provided below:

Current	
<b>Minimum Lot Area</b>	
per lot	8,400 sq.ft.
per dwelling unit	8,400 sq.ft.
<b>Minimum Lot Width (ft.)</b>	70
<b>Minimum Lot Depth (ft.)</b>	100
<b>Yards, Minimum (ft.)</b>	
Front	30
rear	25
side	10
<b>Maximum Building Height (feet)</b>	35
<b>Maximum Building Coverage (%)</b>	30

3. The proposed preliminary plat is essentially the same as the 1990 and 1994 preliminary plats that were approved for the property. Sunset Lane



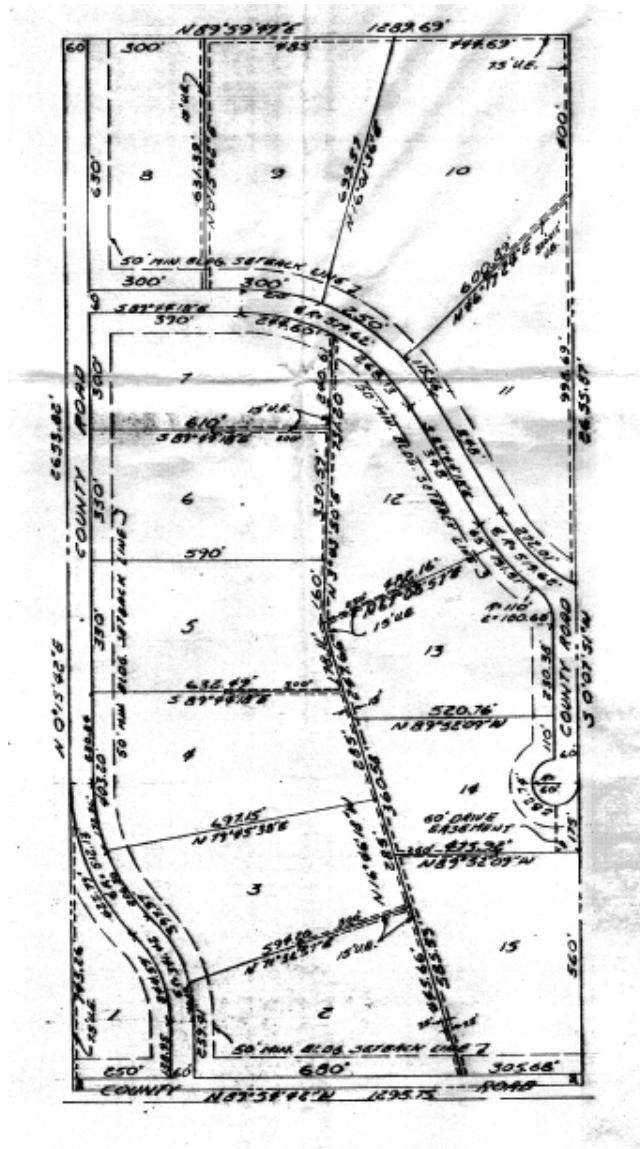
1994 Preliminary Plat



4. Sunset Lane is classified as a collector road, with a right-of-way width of sixty feet (60') and road pavement width of 36 feet.
5. The Raymore City Council included funds in its FY16 budget for the extension of Sunset Lane south to Dutchman Acres and the connection of Bristol Drive to Sunset Lane. These roadway connections were deemed to be important north-south connection roads that were requested by residents of the City. The property owner is funding the construction of Cindy Lane and the water and sanitary sewer improvements that are necessary to serve the subdivision plat.
6. When Sunset Lane is connected it will be a one mile continuous road segment between Lucy Webb Road and Hubach Hill Road. The City

intends to install 4-way stop signs at the intersection of Country Lane and Sunset Lane and at the intersection of Bristol Drive and Sunset Lane.

7. There is an existing sanitary sewer easement that crosses through the southeast portion of the subject property that will be vacated as part of the final plat. The sanitary sewer line will be relocated into a newly created easement.
8. Sunset Lane in Dutchman Acres was platted in 1972. As part of the Dutchman Acres subdivision Sunset Lane was proposed to connect to future development north of Dutchman Acres. The right-of-way for Sunset Lane goes to the northern boundary line of Dutchman Acres. Sunset Lane has a sixty-foot (60) right-of-way as illustrated in the Dutchman Acres recorded plat:

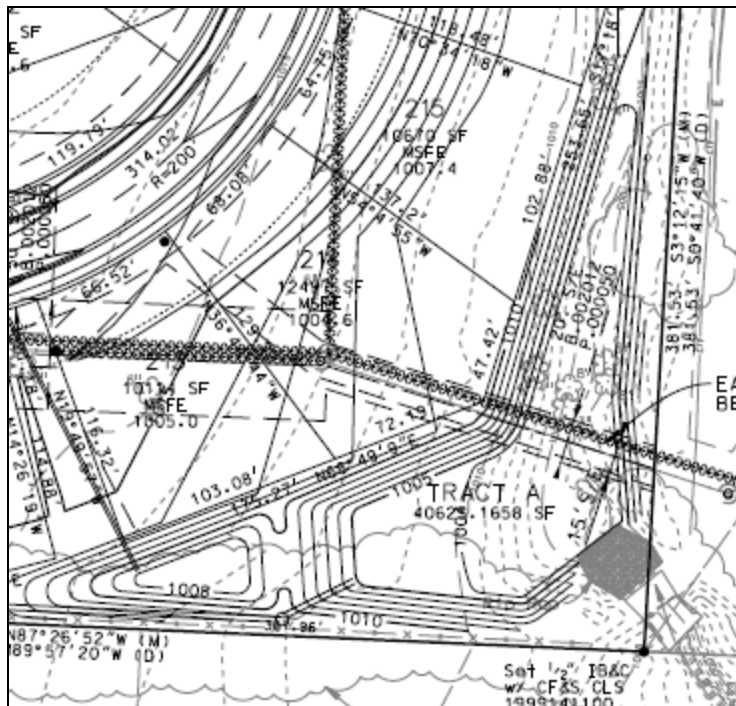


9. The proposed development will be served by City of Raymore sanitary sewer and potable water.
10. No landscape screen is required for the property. The property is being developed as single-family detached homes, similar to the single-family land uses on all sides of the property.
11. Lot sizes for the proposed 7th Plat are similar in size to the existing lots in Brookside subdivision to the west, Evan-Brook 6th Plat to the north, and Evan-Brook 3rd Plat to the east. Lot 69 and Lot 70 of Evan Brook 3rd Plat, to the east of Tract A, are oversized cul-de-sac lots and do not trigger the subdivision adjacency requirement.
12. Since Dutchman Acres Subdivision is not located within the City limits of Raymore the subdivision adjacency standards do not apply.
13. There is no flood plain area that extends onto the subject property. Flood plain area does exist on land to the south in Dutchman Acres. Flood plain area is illustrated in blue on the following map:





14. Under existing conditions the site drains towards the southeastern corner of the site. A stormwater drainage study for the proposed subdivision has been prepared in accordance with the requirements of the City of Raymore and the Kansas City Metropolitan Chapter of the American Public Works Association (APWA). Stormwater detention for the proposed subdivision will be provided with an open-graded detention basin in the southeast corner of the site on Tract A. The existing basin will be expanded to hold additional storage volume to compensate for the increase in impervious surfaces associated with the new streets and houses.



15. There is an existing bank of four 48" corrugated metal pipes, which have a length of 40 feet, which allows water to flow into the existing creek in Dutchman Acres. The stormwater detention basin will release water through these pipes into the existing stream in Dutchman Acres.
16. Best Management Practices (BMP's) will be provided with sediment fore-bays (holding areas) and native vegetation planted around the common areas by the detention basin to provide water quality treatment for the proposed site improvements.

## **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 property. Adjacent land area is currently single-family residential. The land use of the proposed preliminary plat is single-family residential.

**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.

**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 each lot. There is sufficient capacity in the sanitary sewer system to support full development of the property. The road network was designed to accommodate full development of the property. Potable water is supplied by the City of Raymore.

**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. Storm water detention facilities will be constructed to control storm water runoff from

development on the property. Costs associated with extension of any water, sanitary sewer lines, or storm sewer lines will be borne by the property owner.

## **REVIEW OF INFORMATION AND SCHEDULE**

<u>Action</u>	<u>Planning Commission</u>	<u>City Council</u>
Public Hearing	October 18, 2016	November 14, 2016

## **STAFF RECOMMENDATION**

City Staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and forward case #16020 Evan-Brook 7th Preliminary Plat to the City Council with a recommendation of approval.

## **PLANNING AND ZONING COMMISSION RECOMMENDATION**

The Planning and Zoning Commission, at its October 18, 2016 meeting, voted 6-1 to accept the staff proposed findings of fact and forward case #16020 Evan-Brook 7th Preliminary Plat to the City Council with a recommendation of approval subject to two conditions:

1. Alignment issues with the pavement width of Sunset Lane be taken care of with the County; and
2. That the stormwater drainage from the development meet or exceed the requirements of the City.

## **CITY COUNCIL ACTION - 10/24/2016**

The City Council, at its October 24, 2016 meeting, voted 7-1 to postpone the public hearing and the request to its November 14, 2016 meeting.

## **CITY COUNCIL ACTION - 11/14/2016**

The City Council, at its November 14, 2016 meeting, voted 8-0 to accept the Planning and Zoning Commission proposed findings of fact and approved case #16020 Evan-Brook Preliminary Plat.