



**LEE'S SUMMIT**  
MISSOURI  
Development Services Department

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## Development Services Staff Report

<b>File Number</b>	PL2023-128
<b>File Name</b>	REZONING from AG & R-1 to RLL
<b>Applicant</b>	Gary & Deborah Thompson
<b>Property Address</b>	3904 SW Pryor Rd 3912 SW Pryor Rd
<b>Planning Commission Date</b>	July 27, 2023
<b>Heard by</b>	Planning Commission and City Council
<b>Analyst</b>	C. Shannon McGuire, Senior Planner
<b>Checked By</b>	Dawn Bell, Planning Manager Sue Pyles, PE, Development Engineering Manager

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### Public Notification

Pre-application held: May 23, 2023  
Neighborhood meeting conducted: June 22, 2023  
Newspaper notification published on: July 8, 2023  
Radius notices mailed to properties within 300 feet on: July 3, 2023  
Site posted notice on: July 5, 2023

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### Table of Contents

1. Project Data and Facts	2
2. Land Use	2
3. Project Proposal	3
4. Unified Development Ordinance (UDO)	4
5. Comprehensive Plan	4
6. Analysis	4
7. Recommended Conditions of Approval	6

### Attachments

Rezoning Exhibit and Legal Description, dated May 24, 2023 & Revised June 26, 2023  
Neighborhood Meeting Notes, received & uploaded June 26, 2023  
Location Map

## 1. Project Data and Facts

Project Data	
Applicant/Status	Michael Carmack & Deborah Thompson /Property Owners
Applicant's Representative	Michael Carmack & Deborah Thompson
Location of Property	3904 SW Pryor Rd (Lot 1) 3912 SW Pryor Rd (Lot 2)
Size of Property	Lot 1 – 3.21 Acres Lot 2 – 6.42 Acres <b>±9.62 Acres total</b>
Number of Lots	2
Density	0.2 dwelling units/acre
Zoning (Existing)	R-1 (Single-Family Residential District) – Lot 1 AG (Agricultural) – Lot 2
Zoning (Proposed)	RLL (Residential Large Lot)
Comprehensive Plan Designation	Residential 1
Procedure	The Planning Commission makes a recommendation to the City Council on the proposed rezoning. The City Council takes final action on the rezoning in the form of an ordinance.  <b>Duration of Validity:</b> Rezoning approval by the City Council shall be valid upon approval and has no expiration. Neither a preliminary plat nor a preliminary development plan is required when rezoning to the RLL zoning district.

Current Land Use
The subject properties are platted large acreage lots with an existing single-family home on each of them.

Description of Applicant's Request
<p>The applicants have recently inherited the property located at 3904 SW Pryor Rd (Lot 2). The applicants propose to rezone the subject properties from AG &amp; R-1 to RLL for the purpose of subdividing Lot 2. The existing homes will remain and no new development is being proposed at this time. The sole purpose of the proposed rezoning is to allow for a lot line adjustment.</p> <p>Pending approval of the subject rezoning, the applicants have proposed to combine the western half of Lot 2 with Lot 1 (by separate application). This will result in Lot 2 decreasing in size from 6.42 acres to 3.21 acres. Lot 1 will increase from 3.21 acres to 6.42 acres. Both lots are owned by the applicants.</p>

## 2. Land Use

Description and Character of Surrounding Area
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The subject property is located on SW Pryor Rd approximately 0.35 miles south of Mo 150 Highway. The surrounding area to the north, south and west is characterized by rural development. To the east, across SW Pryor Rd is the Napa Valley residential subdivision. South of the properties is mostly comprised of single-family residences on large acreage tracts.

**Adjacent Land Uses and Zoning**

<b>North:</b>	Horse pasture (owned by the applicant) / AG
<b>South:</b>	Large acreage single-family residential / AG & R-1
<b>East (across SW Pryor Rd.):</b>	Single-family residential / PMIX
<b>West:</b>	Undeveloped large acreage / AG

**Site Characteristics**

The site generally slopes from northwest to the southeast. A large pond is located near the western property line of Lot 2.



**Special Considerations**

N/A

**3. Project Proposal**

**Setbacks (Perimeter)**

Yard	Existing AG zoning	Existing R-1 zoning	Proposed RLL zoning
Front (SW Pryor Rd)	100' (Building) or as established by existing homes on same side of street	30' (Building)	30' (Building)
Side (north and south)	50' (Building)	7.5' (Building)	10' (Building)
Rear (east)	50' (Building)	30' (Building)	30' (Building)

## 4. Unified Development Ordinance (UDO)

Section	Description
2.240,2.250,2.260	Rezoning
4.080	Zoning District (RLL)

## 5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Strong Neighborhoods and Housing Choice	Goal 3.2.A

## 6. Analysis

### Background and History

- November 16, 1993 – The City Council approved a change in zoning classification (Appl.# 1993-031) from District A to District R-1, by Ord. #3922.
- November 16, 1993 – The City Council approved the final plat entitled "Lazy Bull Ranch" (Appl. # 1993-170) as a subdivision to the City of Lee's Summit, by Ord. #3925.

### Compatibility

The east side of SW Pryor Rd is developed as single-family residences (Napa Valley) on a mix of villa, standard and larger estate lots. Surrounding the subject properties on the west side of SW Pryor Rd are large-acreage properties zoned AG & R-1. These parcels range from 3.7 acres to 39.2 acres in size. Jackson County requirements for septic systems require a minimum lot size of 3 acres, which will ensure the properties maintain their rural character as large-acreage lots for the foreseeable future.

As the existing homes are remaining and no new development is being proposed at this time, there will be no negative impact to the aesthetics of the surrounding properties which are similarly developed.

### Adverse Impacts

The proposed rezoning is not expected to injure or detrimentally affect the neighboring properties. The applicants are proposing a lot line adjustment for the subject properties.

No new development is being proposed at this time and approval of the rezoning will not create additional storm water runoff. The subject properties are large acre sites with ample green space to allow for natural on-site absorption of storm water.

### Public Services

The subject properties are served by an existing 8” public water line along the west side of SW Pryor Rd. Public sanitary sewer service is not available; the subject properties will be serviced by existing on-site private sanitary sewer disposal systems.

**Unified Development Ordinance**

The UDO has various zoning district options to accommodate a single-family residence. However, not all options are appropriate for the subject property given site specifics and the applicants’ goals. Following discussion between staff and the applicants, the RLL zoning district was determined to be the most appropriate zoning district for the applicants to pursue. The table below provides a comparison of the various zoning districts considered for the property.

	<b>AG (existing zoning, Lot 2)</b>	<b>R-1 (existing zoning, Lot 1)</b>	<b>RDR</b>	<b>RLL (proposed zoning)</b>
<b>Minimum Lot Size</b>	10 acres	8,400 sq. ft.	1 acre	0.5 acre
<b>Setbacks</b>	100’ (front) <sup>1</sup> ; 50’ (side); 50’ (rear)	30’ (front); 7.5’ (side); 30’ (rear)	100’ (front) <sup>1</sup> ; 50’ (side); 50’ (rear)	30’ (front); 10’ (side); 30’ (rear)
<b>Single-family Residence Allowed?</b>	Yes	Yes	Yes	Yes
<b>Septic System Allowed?</b>	Yes <sup>2</sup>	No	Yes <sup>2</sup>	Yes <sup>2</sup>

<sup>1</sup> – or as established by existing homes on the same side of the street

<sup>2</sup> – minimum 3 acres required. Requires Jackson County approval.

The AG and RDR zoning districts have the most restrictive setback requirements (50’ from each side property line), which the existing home on Lot 2 does not currently meet (the existing home was constructed in 1975 and is legal non-conforming).

The R-1 zoning district has the least restrictive setbacks requirements (7.5’ from each side property line), but requires the property to connect to the public sanitary sewer system.

The RLL zoning district has less restrictive setback requirements than the AG and RDR zoning districts found in the area. The RLL zoning district provides the applicants with the ability to meet UDO requirements for the existing homes on the property. The RLL zoning district also allows the applicants to remain in compliance with UDO and Jackson County regulations governing the existing septic sewer systems.

**Comprehensive Plan**

The proposed RLL zoning is consistent with the Residential 1 land use category identified for the area under the Ignite Comprehensive Plan. The Residential 1 category is primarily for single-family residential development that ranges from very low-density rural residential with limited farming activities to medium and large lot single-family subdivisions.

**Recommendation**

With the conditions of approval below, the application meets the requirements of the UDO and DCM (Design and Construction Manual).

## **7. Recommended Conditions of Approval**

### **Standard Conditions of Approval**

1. A minor plat shall be approved and recorded for the lot line adjustment between the subject properties.
2. Upon approval of the proposed rezoning from AG to RLL, by City Council, the applicant will become responsible to provide the appropriate level of right-of-way maintenance (mowing) during each growing season with the defined area abutting their property as defined and outlined in the City's Mowing Policy, approved by Council on November 3, 2005.