



CITY PLAN COMMISSION STAFF REPORT

City of Kansas City, Missouri

Department of City Planning and Development
Development Management Division

414 E 12th Street, 15th Floor
Kansas City, Missouri 64108
www.kcmo.org/planning

Project

Summit View Farms, 5th Plat – Preliminary Plat and Final Plat

Hearing Date January 21, 2020

Item	Case	Request
#5.1	CD-CPC-2019-00227	Preliminary Plat
#5.2	CLD-FnPlat-2019-00041 (5.2 considered by separate Council ordinance)	Final Plat

Item	Staff Recommendation(s)
#5.1	Approval with Conditions
#5.2	Approval with Conditions

Applicant

Dan McGee
Lamp Rynearson

Owner

William Kenny
Summit View Farms Development Group, LLC

Location	13399 E 139 th St
Area	On about 6.27 acres
Zoning	R-80
Council District	6 th
County	Jackson
School District	Lee's Summit

Surrounding Land Uses

North: Residential uses zoned R-80.

East: Single-family residential uses zoned n/a (City of Lee's Summit).

South: agricultural uses zoned R-80.

West: agricultural uses zoned R80.

Land Use Plan

The Longview Area Plan recommends Residential Low Density land uses. The request conforms to this recommendation.

Major Street Plan

None of the adjacent streets are listed on the City's Major Street Plan.

APPROVAL PROCESS



PUBLIC HEARING REQUIRED

Yes

NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

The subject property does not lie within any registered neighborhood or civic organization therefore none were notified.

REQUIRED PUBLIC ENGAGEMENT

Public engagement as required by 88-505-12 applies to this request. The applicant held a public meeting on January 13, 2020, a summary of which is attached.

SUMMARY OF REQUEST

Applicant is seeking approval of a Preliminary Plat and Final Plat for Summit View Farms, 5th Plat for two common area tracts and any necessary deviations or waivers.

PURPOSE

Applicant is proposing to create two common areas tracts which requires approval of the above-referenced requests.

CONTROLLING CASE

No applicable controlling/previous case.

RELATED RELEVANT CASES

Immediately to the north are two similar related cases for Summit View Farms, 2nd Plat

SD1504 – Preliminary Plat for Summit View Farms, 2nd Plat

SD1504A – Final Plat for Summit View Farms, 2nd Plat

EXISTING CONDITIONS

The site is currently undeveloped land generally located at northwest of the intersection of SW Summit View Trail and SW National Avenue. The eastern property line is the boundary separating the City of Kansas City from the City of Lee's Summit. The subject property contains a regulated stream which begins south of the property near Missouri Highway 150, flows northward through the property beyond 139th St and through the Monarch View subdivision, and eventually flowing into Longview Lake. The stream drains land south to

M-150 Hwy and west to Horridge Rd as well as points eastward within the City of Lee's Summit, including the proposed Summit View Farms subdivision immediately to the east.

NEARBY DEVELOPMENTS

North: Summit View Farms, 2nd Plat (common areas)

East: Summit View Farms (Lee's Summit, MO)

South: undeveloped land

West: undeveloped land

KEY POINTS

- Summit View Farms, 5th Plat is initially intended to create 2 common area tracts for stormwater management for the subdivision. Most of the subdivision is currently in the City of Lee's Summit, MO's jurisdiction, with the exception of the 2nd plat which is in the KCMO jurisdiction. Similarly, to the proposed 5th plat the 2nd plat is only intended for necessary stormwater management.
- The purpose of the plat is to establish a stormwater tract to serve the proposed Summit View Farms subdivision immediately to the east. The subdivision is within the City of Lee's Summit but is within the drainage basin of the stream flowing through the subject property
- In the future, a portion of the 5th Plat will be replatted into single family homes for future phases of the single family subdivision of Summit View Farms.
- These common area tracts require deviations and waivers to the KCMO Zoning and Development Code as outlined below in the staff report.

Boulevard and Parkway Standards (88-323)

The standards are not applicable because there are no existing or proposed Boulevards or Parkways near this project area.

Parkland Dedication (88-408)

No residential uses are proposed therefore parkland dedication is not required.

Since this project is only proposing two common area tracts of land, there is no parkland dedication required. In the future, when a portion of this area is redeveloped into single family lots the parkland dedication requirements will become required.

PLAT REVIEW



Final Plat – 2 tracts with access easement



Preliminary Plat – showing future lots

Subdivision Standards (88-405)

Street Connectivity

Section 88-405-10-B stipulates roadways must connect in an orderly and safe manner, and connect to adjacent subdivisions. The proposed future phases of Tract F to be redeveloped into single family lots meet this requirement.

Requested Waivers

Common Area Tract Access

Section 88-405-12 parts A-D stipulate all common area tracts: A. provide vehicle and pedestrian access from an approved street to the open space or common area feature; B. have a minimum width of 20 feet with grades of no more than 15%; C. be unobstructed by any fence, wall or locked gate; and D. have an all-weather surface or pervious paving adequate to accommodate anticipated maintenance and emergency access needs for the type of use in the open space or common area tract.

Request the applicant requests a waiver to this requirement for the northern Tract E. access will be provided by an access easement through Tract F. When Tract F is redeveloped into single family lots the access easement will become a paved public roadway.

Staff is supportive of this request as it is intended to be temporary and the intent of providing access will be accomplished by the proposed access easement.

To recommend or approve a waiver or modification of subdivision design and improvement standards, the city plan commission and city council must determine that all of the following conditions exist:

88-405-25-C-1. That there are special circumstances or conditions affecting the property;

88-405-25-C-2. That the waiver or modification is necessary for reasonable and acceptable development of the property in question and is not a greater modification or waiver than is required to allow reasonable and acceptable development of the subject property; and

88-405-25-C-3. That the granting of the waiver or modification will not be detrimental to the public welfare or injurious to other property in the vicinity in which the subject property is situated.

PROFESSIONAL STAFF RECOMMENDATION – Preliminary Plat Case No. CD-CPC-2019-00227

City Planning and Development Staff **recommends approval subject to the following conditions** based on the application, plans, and documents provided for review prior to the hearing:

1. That plans, revised as noted below, are submitted and accepted by the following staff prior to City Council: **(All corrections 1.a – 1.e have been addressed by revised plans for NPD.)**

The following are recommended by the Development Management Division of the City Planning and Development Department. For questions, contact Christopher Hughey at Christopher.hughey@kcmo.org.

- a. Recommend half-toning the labels related to the future Prelim Plat street improvements.
- b. Increase font size/line weight of the Tract labels and sizes for better legibility.

The following are recommended by the Parks and Recreation Department. For questions, contact Daniel Weber at Daniel.weber@kcmo.org.

- c. At such time that residential lots are platted, please label the name of the street leading to the cul-de-sac, on the plans. Indicate in the response how ROW will be dedicated, if these are to be public streets. Verify that this preliminary plat proposes six residential, single family lots.
- d. At such time that residential lots are platted, get a Preliminary Landscape plan approved by City Forester. Upon approval, show required street tree plantings along to SW National Avenue and the unlabeled cul-de-sac, on the revised plans.

- e. At such time that residential lots are platted, provide language on the plat to clarify how PARKLAND DEDICATION is being handled. Said dedication is pursuant to Section 88-408-B, of the Zoning and Development Code. If not dedicating Parkland, the Money-in lieu of amount applies, per project Condition that provides calculation of fee due.

The following are recommended by the Development Management Division of the City Planning and Development Department. For questions, contact Christopher Hughey at Christopher.hughey@kcmo.org.

2. A waiver be granted to Section 88-405-12 to allow for the northern Tract E to be platted without direct access to a public roadway as shown, and require at such time in the future that when Tracts E or F are replatted to construct buildable lots that Section 88-405-12 be met at that time.
3. The developer must post a sign at the terminus of all stub streets (SW National Ave) indicating that the stub street is intended to be opened to through traffic when the adjacent property is developed. The sign must state "FUTURE THROUGH STREET. TO BE CONNECTED WHEN ABUTTING PROPERTY DEVELOPS." The city may provide specifications for required signs.

The following are recommended by the Land Development Division of the City Planning and Development Department. For questions, contact Lucas Kasper at lucas.kasper@kcmo.org.

4. When the subject area is replated with right-of-way and residential lots, the developer must design and construct all interior public streets to City Standards, as required by Chapter 88 and the Land Development Division, including curb and gutter, storm sewers, street lights, and sidewalks.
5. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
6. The developer must submit covenants, conditions and restrictions to the Land Development Division for review by the Law Department for approval and enter into covenant agreements for the maintenance of any private open space tracts with stream buffer zones or stormwater detention area tracts, prior to recording the plat. The storm water detention basin serves multiple lots and requires the detention basin to be platted in a storm water detention tract and have a "Covenant to Maintain Storm Water Detention Facilities.
7. When the subject area is replated with right-of-way and residential lots, the developer shall submit plans to Land Development Division and obtain permits to construct sidewalks along the platted frontage, and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
8. The developer must secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.
9. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right-of-way dedications for the planned project without the prior written consent of the Land Development Division.
10. When the subject area is replated with right-of-way and residential lots, the developer must pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
11. The developer shall submit a final stream buffer plan to the Land Development Division for approval prior to issuance of any building permits and obtain permits for the Stream Buffer prior to removal of any mature riparian species within the buffer zones due to construction activities on the site, in accordance with the Section 88-415 requirements.
12. The developer shall submit a Preliminary Stream Buffer plan prior to approval of the plan in accordance with the Section 88-415 requirements.

The following are recommended by the Water Services – Permitting Department. For questions, contact Kevin Morris at kevin.morris@kcmo.org.

13. Show all proposed utility lines for water & sewer mains and service at the time the future lots are proposed.

The following are recommended by the Water Services – Water Department. For questions, contact Nimesha Senanayake at nimesha.senanayake@kcmo.org.

14. At the time future lots are proposed, show and label a proposed 8-inch water main extension from 30" KCMO transmission main.
15. When the subject area is replatted with right-of-way and residential lots, the developer must submit water main extension drawings prepared by a registered professional Engineer in Missouri to the main extension desk for review, acceptance and contracts per the KC Water Rules and Regulations for Water main extensions and Relocations.
16. When the subject area is replatted with right-of-way and residential lots, proposed domestic water and fire services lines must follow the KCMO Rules and Regulations.

The following are recommended by the Fire Department. For questions, contact John Hastings at john.hastings@kcmo.org.

17. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 3312.1; NFPA 241-2013 § 8.7.2)
18. All construction shall be in compliance of the applicable building codes which are in effect at the time of construction and shall be built under valid building permits issued by City Planning and Development. (IFC-2018 § 102.4)
19. Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 3310.1; NFPA 241-2013 § 7.5.5)
20. Fire hydrant(s) are required within 400 feet on a fire access road following an approved route established by the Authority Having Jurisdiction (AHJ) of any exterior portion of a building. The use of existing fire hydrant(s) may be used to satisfy this requirement otherwise a private fire hydrant(s) or hydrant system may be required. This distance may be increased to 600 feet for R-3 and U occupancy(s) or the building(s) is fully protected by an approved automatic fire sprinkler system(s). (IFC-2018: § 507.5.1)

The following are recommended by the Water Services – Stormwater Division. For questions, contact Robert Davis at Robert.davis@kcmo.org.

21. The developer shall submit Stream Buffer Plans in compliance with 88-415 requirements and obtain a Stream Buffer Permit prior to removal of any mature riparian vegetation or commencing any grading activities within potential stream buffer areas.
22. Measures should be taken to evaluate erosion and protect the sanitary sewer at the detention basin outfall.
23. Prior to issuance of any construction permits, the developer shall submit, for review and acceptance, a Macro storm drainage study, sealed by a Missouri-licensed civil engineer, for the entire development area, showing compliance with the latest adopted version of APWA 5600 standards in effect at the time of submission, including Water Quality BMPs per the latest adopted version of the MARC BMP Manual, and submit a Micro storm drainage study with each subsequent phase of development showing compliance with the approved Macro and adopted standards. The developer shall construct improvements necessary to mitigate impacts from rate, volume (10% and 1% storms at a minimum), and quality of stormwater runoff from each proposed phase.
24. Stormwater management facilities, such as detention basins, BMPs, engineered surface water conveyance paths outside of right-of-way, etc., which serve multiple lots or tracts, shall be privately maintained, located on separate tract(s), and covered by maintenance covenant(s) to be administered through the platting process.

The following are recommended by the Parks and Recreation Department. For questions, contact Daniel Weber at Daniel.weber@kcmo.org.

25. At such time that residential lots are platted, the developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval by the Parks & Recreation Department's Forestry Division prior to beginning work in the public right-of-way. A street tree review by City Forester, is recommended in conjunction with any sidewalk or streetscape improvements that may be required for the project. This would apply to SW National Avenue and the unlabeled cul-de-sac. Trees in ROW would only require

permits if they were a part of Public Streetscape Improvement Plans or building plans being submitted to City Planning & Development Department.

26. At such time that residential lots are platted, the developer elects to pay money in lieu of dedicating land, the developer must, before recording the subdivision plat or minor subdivision, or receiving a certificate of occupancy for a new residential unit, deposit with the city treasurer a monetary payment to the parks and recreation acquisition or development trust fund equal to the required parkland dedication (calculated pursuant to 88-408-A.) multiplied by the current year's price for the calendar year in which the approval is granted by the preliminary plat, less a credit based on the ratio that any land actually dedicated for park purposes bears to the required parkland dedication. The developer shall pay money in lieu of dedication of parkland in the amount of per formula or Dedicate Acreage of Private Open Space for Parkland Purpose as identified in 88-408. To receive credit for previous dedication the developer needs show and list areas previously dedicated. Money in lieu of parkland shall be based on the following formula: 6 lots x .006 x 3.7 persons x \$39,617.49 (2019 and 2020 rate) = \$5,277.05.

(Final Plat considered by separate Council ordinance.)

PROFESSIONAL STAFF RECOMMENDATION – Final Plat Case No. CLD-FnPlat-2019-00041

City Planning and Development Staff **recommends approval subject to the following conditions** based on the application, plans, and documents provided for review prior to the hearing:

27. That plans, revised as noted below, are submitted and accepted by the following staff prior to City Council:

The following are recommended by the Development Management Division of the City Planning and Development Department. For questions, contact Christopher Hughey at Christopher.hughey@kcmo.org.

- a. Add an applicable access easement dedication language for access to Tract E.

The following are recommended by the Development Management Division of the City Planning and Development Department. For questions, contact Christopher Hughey at Christopher.hughey@kcmo.org.

28. Commensurate with the waiver be granted by the preliminary plat (Case No. CD-CPC-2019-00227) to Section 88-405-12 to allow for the northern Tract E to be platted without direct access to a public roadway as shown, and require at such time in the future that when Tracts E or F are replatted to construct buildable lots that Section 88-405-12 be met at that time.

29. The developer must post a sign at the terminus of all stub streets (SW National Ave) indicating that the stub street is intended to be opened to through traffic when the adjacent property is developed. The sign must state "FUTURE THROUGH STREET. TO BE CONNECTED WHEN ABUTTING PROPERTY DEVELOPS." The city may provide specifications for required signs.

30. Submit a street name plan with the future subdivision plat.

The following are recommended by the Land Development Division of the City Planning and Development Department. For questions, contact Lucas Kaspar at Lucas.Kaspar@kcmo.org.

31. The developer must design and construct all interior public streets to City Standards, as required by Chapter 88 and the Land Development Division, including curb and gutter, storm sewers, street lights, and sidewalks.
32. The developer shall submit plans to Land Development Division and obtain permits to construct sidewalks along the platted frontage, and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
33. The developer must secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.
34. The developer must subordinate to the City all private interest in the area of any right of way dedication, in accordance with Chapter 88 and as required by the Land Development Division, prior to

issuance of any construction permits within said right of way, and that the owner/developer shall be responsible for all costs associated with subordination activities now and in the future.

35. The developer must submit a streetscape plan for approval and permitting by the Land Development Division prior to beginning construction of the streetscape improvements in the public right of way, and construct ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired.
36. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Development Regulations.
37. The developer must grant on City approved forms, a STREAM BUFFER Easement to the City and show and label the final stream buffer zones on the subdivision plat, as required by Chapter 88 and Land Development Division, prior to issuance of any stream buffer permits.
38. The developer must submit covenants, conditions and restrictions to the Land Development Division for review by the Law Department for approval and enter into covenant agreements for the maintenance of any private open space tracts with stream buffer zones or stormwater detention area tracts, prior to recording the plat. The storm water detention basin serves multiple lots and requires the detention basin to be platted in a storm water detention tract and have a "Covenant to Maintain Storm Water Detention Facilities".
39. The developer must grant a BMP Easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
40. The developer shall submit a Preliminary Stream Buffer plan prior to approval of the plan in accordance with the Section 88 415 requirements.
41. After the City Plan Commission enters its disposition for the development plan, the developer shall not enter into any agreement that would encumber or otherwise have any impact on the proposed right of way dedications for the planned project without the prior written consent of the Land Development Division.
42. The developer shall submit construction plans in compliance with adopted standards for all improvements required by the Public Works Department, and shall secure permits for those improvements as required by the Land Development Division, prior to recording the plat.
43. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
44. The developer must pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
45. The developer must obtain the executed and recorded city approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
46. The developer shall submit a final stream buffer plan to the Land Development Division for approval prior to issuance of any building permits and obtain permits for the Stream Buffer prior to removal of any mature riparian species within the buffer zones due to construction activities on the site, in accordance with the Section 88 415 requirements.
47. The developer must submit a Macro storm drainage study with the first Plat or Phase, from a Missouri licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including Water Quality BMP's, to the Land Development Division for review and acceptance for the entire development area, and submit Micro storm drainage study with each subsequent Plat or Phase showing compliance with the approved Macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase, prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first as required by the Land Development Division.

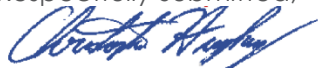
The following are recommended by the Fire Department. For questions, contact John Hastings at john.hastings@kcmo.org.

48. All construction shall be in compliance of the applicable building codes which are in effect at the time of construction and shall be built under valid building permits issued by City Planning and Development. (IFC 2018 § 102.4)
49. Fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC 2018 § 501.4 and 3312.1; NFPA 241 2013 § 8.7.2)
50. Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC 2018 § 501.4 and 3310.1; NFPA 241 2013 § 7.5.5)

The following are recommended by the Parks and Recreation Department. For questions, contact Daniel Weber at Daniel.weber@kcmo.org.

51. At such time that residential lots are platted, the developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval by the Parks & Recreation Department's Forestry Division prior to beginning work in the public right-of-way. A street tree review by City Forester, is recommended in conjunction with any sidewalk or streetscape improvements that may be required for the project. This would apply to SW National Avenue and the unlabeled cul-de-sac. Trees in ROW would only require permits if they were a part of Public Streetscape Improvement Plans or building plans being submitted to City Planning & Development Department.
52. At such time that residential lots are platted, provide language on the plat to clarify how PARKLAND DEDICATION is being handled. Said dedication is pursuant to Section 88-408-B, of the Zoning and Development Code. If not dedicating Parkland, the Money-in lieu of amount applies, per project Condition that provides calculation of fee due. If so, provide the following language on the future plat: PAYMENT IN LIEU OF PARKLAND: The developer elects to pay the City of Kansas City, Missouri, a sum of \$5,277.05 in lieu of required parkland dedicating for 6 single family lots pursuant to Section 88-408-C of the Zoning and Development Code, prior to recording the final plat.

Respectfully Submitted,



Christopher Hughey, AICP
Lead Planner

Attachments:

1. Docket Map
2. Preliminary Plat
3. Final Plat **(considered by separate Council ordinance)**
4. Final Stream Buffer Plan
5. Public Engagement Documentation