



City Planning & Development Department

Development Management Division

15th Floor, City Hall
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Kansas City, Missouri 64106-2795

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STAFF REPORT

June 2, 2015

(7)

RE: **Case No. 14566-P**

APPLICANT: Dean Realty Co.
1201 W 31st Street; Suite 2
Kansas City, MO 64108

AGENT: James C. Bowers, Jr. Esq.
White Goss
4510 Belleview Avenue, Suite 300
Kansas City, MO 64111

LOCATION: generally located on the west side of Holly between W 32nd Street to the south and W 31st Street to the north

REQUESTS: to consider approval of a Development Plan that also serves as a Preliminary Plat allowing for 4 single family residential homes in District M1-5.

AREA: About 1.39 acres

SURROUNDING LAND USE:

North	manufacturing, single family residential, undeveloped land, zoned M1-5, R-1.5, R-6
South	manufacturing, single family residential, zoned M1-5, R-6
East	single family residential – Coleman Highlands Historic District, zoned R-6
West	manufacturing, zoned M1-5

LAND USE PLAN: The Westport Area Plan recommends Industrial land uses at this location.

MAJOR STREET PLAN: No immediately adjacent streets.

ARTERIAL STREET IMPACT FEE: The subject property is exempt from impact fees.

PREVIOUS CASES: None.

EXISTING CONDITIONS:

The subject site is zoned M1-5 and undeveloped. The property was platted as Harres and Evans Addition. The property has frontage on Holly Street which is not constructed south of W 32nd Street. Holly ends approximately 230 feet north of W 32nd Street. Portions of Holly are proposed to be vacated through Case No. 1709-V. The subject site drops off dramatically from east to west – from 940 feet on the east side to 890 feet at vacated Mercier Street. Due to this drop off a significant portion of the subject site is undevelopable.

The subject site is directly west of the Coleman Highlands Historic District which is listed on the Kansas City Register of Historic Places. Coleman Highlands is developed with several single family homes and Karnes Boulevard runs through the center of the neighborhood. A large single family home which is accessed off of Holly is located northeast of the subject site.

PLAN REVIEW AND ANALYSIS:

Single family homes are allowed in M1 districts with a Special Use Permit. The applicant has submitted a development plan in lieu of a Special Use Permit to allow for the construction of four single family homes. The homes will front on Holly Street and cul-de-sac with a median for landscaping will provide a turn around on the south end of Holly Street.

The plan proposes a sidewalk on the west side of Holly which will connect to the sidewalk on the south side of W 32nd Street. Directly behind the subject site is vacated Mercier Street and beyond Mercier are light manufacturing uses. Although the subject site is zoned M1-5, changes in elevation create a barrier between these properties and M1-5 to the south and west. The slope is heavily treed which provides additional buffer from the uses below. The subject site sits above the existing manufacturing uses and it is not anticipated that these uses will impact future residents of these homes due to existing foliage, slope and distance from existing uses.

The subject site is immediately adjacent to and at the same grade as the Coleman Highlands neighborhood. Single family residential uses in this location compliment the neighborhood to the east. Although the property is zoned M1-5, manufacturing uses on the subject site could have a negative impact on the existing neighborhood.

The applicant has not submitted elevations of the proposed houses. Houses within the surrounding Coleman Highlands Neighborhood include shirtwaists and bungalows constructed of clapboard siding, shingles, limestone, brick and stucco. Architectural styles include Craftsman, Tudor and Colonial Revival.

District M1-5 does not have any provisions for setbacks of residential housing, unless the property is adjacent to a residential district. The development plan shows a 30 foot front yard setback. District M1-5 allows for uses much more intense than single family residential. In order to protect adjacent property owners, only single family residential uses and accessory uses and structures as defined in 88-305 "Accessory Uses and Structures" shall be allowed.

Parkland Dedication:

Parkland dedication is a requirement of platting for residential development. According to Section 88-405-17 the developer has three options for this dedication whenever residential development is proposed. Applicants may dedicate land to the City, provide private open space for park purposes or pay money in lieu of parkland dedication.

The plan proposes 4 single family residential units. The development requires:

- 4 SF units x 3.7 persons per unit x .006 acres per person = .088 acres
- .088 acres x \$11,289.05 per acre = \$1,002.47 – fees would be used at Roanoke Park

RECOMMENDATIONS:

City Planning and Development Staff recommends approval of Case No. 14566-P based on the application, plans, and documents provided for review prior to the hearing and subject to the following conditions as provided by the Development Review Committee at the May 15, 2015 meeting:

1. That two (2) collated, stapled, and folded (to 8.5 by 11 in. size) hardcopies and one (1) digital copy (CD containing a pdf file, a georeferenced monochromatic TIF file, and

CAD/GIS compatible layer of the site plan boundary referenced to the Missouri state plane coordinate system) of the plans, revised as noted below, be submitted to Development Management staff (15th Floor, City Hall) for approval, prior to ordinance request showing:

- a. That the developer add a note to the face of the plan stating "Only single family residential and accessory uses and structures as defined by 88-305 "Accessory Uses and Structures" are allowed."
- b. That the developer remove "Tract A" text from plan.
- c. That the developer identifies any foliage to remain.

The following conditions are recommended by the Land Development Division of City Planning and Development. For questions, please contact Brett Cox, P.E. at 816-513-2509 or brett.cox@kcmo.org.

2. 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.
3. The developer shall submit a Storm Drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site for a minimum of 40 hours prior to release, to reduce small storm discharge to the combined sewer system. The retained runoff shall be discharged between 40 and 72 hours. The analysis shall be submitted, and the developer secures permits to construct any improvements required by the Land Development Division prior to recording the plat.
4. The developer must dedicate additional right of way for the intersection of W 32nd Street & Holly Street as shown on the Development Plan, and ensure right of way dedication is adequate for any proposed road improvements as required by Land Development Division adjacent to this project.
5. 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, and that the owner/developer shall be responsible for all costs associated with subordination activities now and in the future.
6. 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.
7. The developer must petition for the vacation of Holly Street as shown on the development plan as required by the Land Development Division, and Development Management prior to recording of the final plat.
8. 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.
9. 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.

10. The developer must secure permits to extend sanitary sewer 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.
11. The developer must submit covenants, conditions and restrictions to the Land Development Division for review by the Law Department for approval for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts, prior to recording the plat.

Respectfully submitted,

A handwritten signature in black ink that reads "Ashley Winchell". The signature is written in a cursive, flowing style.

Ashley Winchell
Planner