

CITY PLAN COMMISSION STAFF REPORT

City of Kansas City, Missouri City Panning & Development Department www.kcmo.gov/cpc

June 7, 2022

PROJECT NAME Villa Meadows 2nd Plat

DOCKET #3 REQUEST

3.1 CD-CPC-2022-00046 - Rezoning

3.2 CD-CPC-2021-00247 – Revised Preliminary Plat

APPLICANT

Donald Hathaway Weiskirch & Parks Engineers

OWNER

Teetering Rocks Executive Links Inc.

Location 12402 Brickyard road

Area About 13 acres

Zoning R-7.5 & R-80

Council District 5th

County Jackson School District Raytown 150

SURROUNDING LAND USES

North: zoned R-80, Golf Course.

South: zoned M3-5, Single Family Home. **East:** zoned M3-5, Undeveloped.

West: zoned R-7.5, Villa Meadows 1st Plat.

MAJOR STREET PLAN

The City's Major Street Plan does not identify any streets at this location.

LAND USE PLAN

The Little Blue Valley Area Plan recommends Park uses for the subject property.

APPROVAL PROCESS

taff Review 💛 💍

City Plan Commission

City Council

NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

The associated neighborhood was not registered but notification was sent to properties within 300 feet. Said neighborhood is taking steps to become registered.

REQUIRED PUBLIC ENGAGEMENT

Public engagement as required by 88-505-12 applies to this request. The applicant held a public engagement meeting on March 26, 2022, summary is attached.

EXISTING CONDITIONS

The current site is undeveloped and surrounded by an existing golf course. The first plat of the Villa Meadows development has been constructed and is to the west of the proposed site. The revised preliminary plat is within the flood plain.

SUMMARY OF REQUEST

The applicant is seeking approval of a preliminary plat amendment in District R-7.5 (Residential) and approval of a rezoning from District R-80 (Residential) to District R-7.5 (Residential) on about 13 acres generally located at the terminus of East 89th Terrace east of Westridge Road.

KEY POINTS

- Approved preliminary plat is requested to be amended to allow for the removal of a connection to Brickyard Road due to the flood plain.
- Applicant is proposing 24 total lots for this phase
- Applicant is proposing 2 open space tracts in this phase
- Applicant is proposing a rezoning of 2104 sq. ft from R-80 to R-7.5

PROFESSIONAL STAFF RECOMMENDATION

Docket #3.1 Recommendation: Approval.

Docket #3.2 Recommendation: Approval with Conditions.

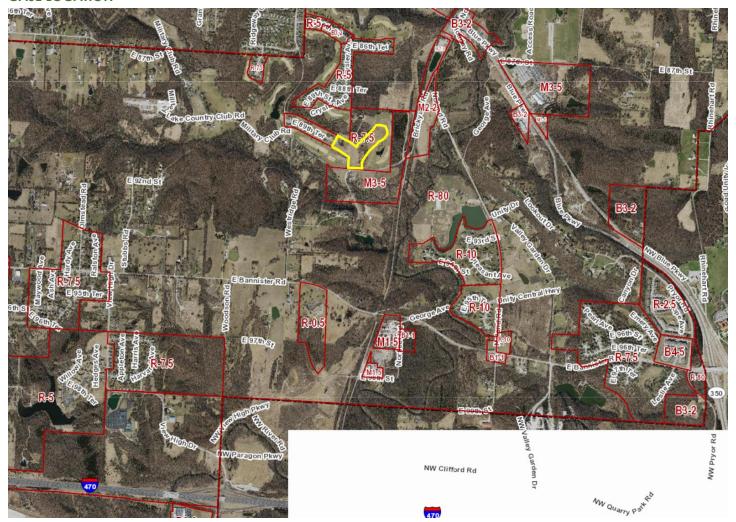
CONTROLLING CASE

Case No. SD 1022- Ordinance No. 030731– On July 26, 2004 City Council approved a preliminary plat for Villa Meadows on an approximately 31.5-acre tract of land generally located on the north side of Brickyard Road and the east side of Westridge Road.

RELEVANT CASES

Case No. SF 1022A – Approved a final plat in Districts RA (Agricultural district) and District R-1a (one-family dwellings, medium density) for twenty-nine (29) lots (Tracts A, B, C & D) and roadway dedication.

CASE LOCATION



PLAT REVIEW

The applicant is seeking approval of a preliminary plat amendment in District R-7.5 (Residential) and approval of a rezoning from District R-80 to District R-7.5 on about 13 acres generally located at the terminus of East 89th Terrace, east of Westridge Road.

The proposal is to subdivide the existing 13 acre unplatted parcel of land into 24 detached residential lots within zoning district R-7,5. Average lot sizes are over 9,500 square feet per lot, with an average lot width of 75 feet. Building setbacks are shown in the amounts of 30 feet front yard setbacks.

The original approved Preliminary Plat (SD 1022) created 35 lots. Due to the condensed boundaries of this preliminary plat the applicant is requesting approval of 24 lots. Additionally, the proposed 2nd Plat has been shifted to the northeast to avoid the flood plain. The controlling plan did not take into consideration the flood plain that is present on the site of the golf course. Formerly this plat provided a vehicular connection to Brickyard Road. The applicant has determined that this connection for a full road is not possible to construct due to the flood plain that surrounds the proposed neighborhood. Streets that end in a cul-de-sac cannot extend more than 600 feet unless otherwise expressly approved by the city planning and development director or city plan commission. Staff has worked with the applicant to now provide a 20ft wide trail to Brickyard Road that will also act as an emergency access for Fire and EMT. Within the interior of the neighborhood which will allow for emergency vehicles to turn around.

During the hearing on 5-3-2022 City Plan Commission had the following concerns/comments: the developer needs to investigate green infrastructure, the developer need to discuss with council on waiver of stream buffer, the developer needs talk to the school district on bus stop location, and the developer needs to explore the requirements of the 500-year flood plain (study topography and compliance). The developer has provided staff with a Landscaping & Water Concept Plan which shows plantings which were selected due to their ability to retain water. This landscape plan will require a Project Plan to also be submitted and approved by CPC.

REZONING REVIEW

The request is to rezone the 2104 square feet from R-80 to R-7.5. Due to the flood plain, the approved preliminary plat needs to be shifted to north west which will encroach into the golf course which is currently zoned R-80. The Little Blue Ridge Area Plan recommends Park land use at this location. Though this future land use is not consistent with the proposed development it is consistent with land uses it abuts. This rezoning will have no impact on the surrounding golf course. Due to the small size of the proposed rezoning no area plan amendment is required for this rezoning.

REZONING ANALYSIS

In reviewing and making decisions on proposed zoning map amendments, the city planning, and development director, city plan commission, and city council must consider at least the following factors:

88-515-08-A. Conformance with adopted plans and planning policies;

The proposed plan conforms to all adopted plans and policies.

88-515-08-B. Zoning and use of nearby property;

The proposed plan is compatible with adjoining uses.

88-515-08-C. Physical character of the area in which the subject property is located;

The proposed plan is in conformance.

88-515-08-D. Whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;

The parcel is adequately served by public facilities.

88-515-08-E. Suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations;

The existing zoning would have created two lots that are dual zoned with the front portion of the lot zoned R-7.5 and the rear yard zoned R-80

88-515-08-F. Length of time the subject property has remained vacant as zoned;

The property has never been developed.

88-515-08-G. The extent to which approving the rezoning will detrimentally affect nearby properties; and The proposed R-7.5 zoning district will match the adjoining properties to the south, east, and west.

88-515-08-H. The gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application. There is no identified gain if this request is denied.

REQUESTED DEVIATIONS

None

COMMENT

The request Revised Preliminary Plat is in conformance with the controlling plan.

PROFESSIONAL STAFF RECOMMENDATION

- 3.1: Staff recommends Approval
- **3.2:** Staff recommends **Approval Subject to the Corrections and Conditions** as reflected in the attached Plan Correction Report and Plan Conditions Report.

Respectfully Submitted,

Matthew Barnes

Planner

Plan Conditions



Report Date: June 02, 2022

Case Number: CD-CPC-2021-00247

Project: VILLA MEADOWS

Condition(s) by City Planning and Development Department. Contact Matthew Barnes at / matthew.barnes@kcmo.org with questions.

- 1. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to Certificate of Occupancy.
- 2. The developer shall secure approval of a street tree planting plan from the City Forester and plant according to said plan prior to recording the final plat.
- 3. That the developer submit a Street Naming Plan to Development Management Division prior to issuance of Building Permit. Street naming plan shall be approved prior to Mylar approval of the final plat.
- 4. That the developer submit a project plan to the City Plan Commission for all private open space Tracts indicating plans for landscaping, grading, detailed internal circulation, signage, lighting and a photometric study showing zero foot candles at the property lines prior to Mylar approval or issuance of building permit.
- 5. That the developer submits a project plan for all private open space tracts to show landscaping as shown in the preliminary plat.

Condition(s) by City Planning and Development Department. Contact Stacey Lowe at (816) 513-2552 / stacey.lowe@kcmo.org with questions.

- 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 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.
- 8. 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.
- 9. 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.
- 10. 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.
- 11. 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.
- 12. 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

Condition(s) by City Planning and Development Department. Contact Stacey Lowe at (816) 513-2552 / stacey.lowe@kcmo.org with questions.

- 13. 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.
- 14. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit to connect private system to the public sewer main and depending on adequacy of the receiving system, make other improvements may be required.
- 15. 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.
- 16. The developer must grant a BMP and/or Surface Drainage Easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
- 17. 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.
- 18. The developer must obtain a floodplain certificate from Development Services prior to beginning any construction activities with the floodplain.
- 19. The developer shall submit a Preliminary Stream Buffer plan prior to approval of the [Special Use /Development/Rezoning] plan in accordance with the Section 88-415 requirements.
- 20. The developer must show the limits of the 100-year floodplain plus the 1 foot freeboard on the final plat and show the Minimum Low Opening Elevation (MLOE) of any structure on each lot that abuts a 100-year flood prone area (including detention basins and engineered surface drainage conveyances) on any plat and plan, as required by the Land Development Division.
- 21. 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.
- 22. The developer must [grant on City approved forms, a STREAM BUFFER Easement to the City] or [show and label the final stream buffer zones on the subdivision plat within a private open space tract], as required by Chapter 88 and Land Development Division, prior to issuance of any stream buffer permits.
- 23. The developer must provide an erosion hazard analysis for areas where any improvements or public right-of-way dedications are proposed within stream buffer zones or adjacent to the outside of stream meanders as required by Water Services.

Condition(s) by Fire Department. Contact Michael Schroeder at (816) 513-4604 / michael.schroeder@kcmo.org with questions.

- 24. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
- 25. Fire hydrant distribution shall follow IFC-2018 Table C102.1

 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 -2013 § 8.7.2)
- 26. Dead end fire department access road(s) in excess of 150 feet shall be provided with an approved turn around feature (i.e., cul-de-sac, hammerhead). Dead-end streets in excess of 150 feet in length resulting from a "phased" project shall provide an approved temporary turn around feature (i.e., cul-de-sac, hammerhead). (IFC-2018: § 503.2.5)
- 27. 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)
- 28. One and two family residential developments exceeding 30 dwelling units shall have at least two separate and approved fire apparatus access roads (IFC-2018: § D107.1)

 Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses. (IFC-2018: § D104.3)

Condition(s) by Parks & Recreation. Contact Justin Peterson at (816) 513-7599 / Justin.Peterson@kcmo.org with questions.

Condition(s) by Parks & Recreation. Contact Justin Peterson at (816) 513-7599 / Justin.Peterson@kcmo.org with questions.

- 29. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks & Recreation Department's Forestry Division prior to beginning work in the public right-of-way
- 30. The developer is responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due shall be based upon the (2021) acquisition rate of (\$48,801.37) per acre. This requirement shall be satisfied prior to recording the final plat.

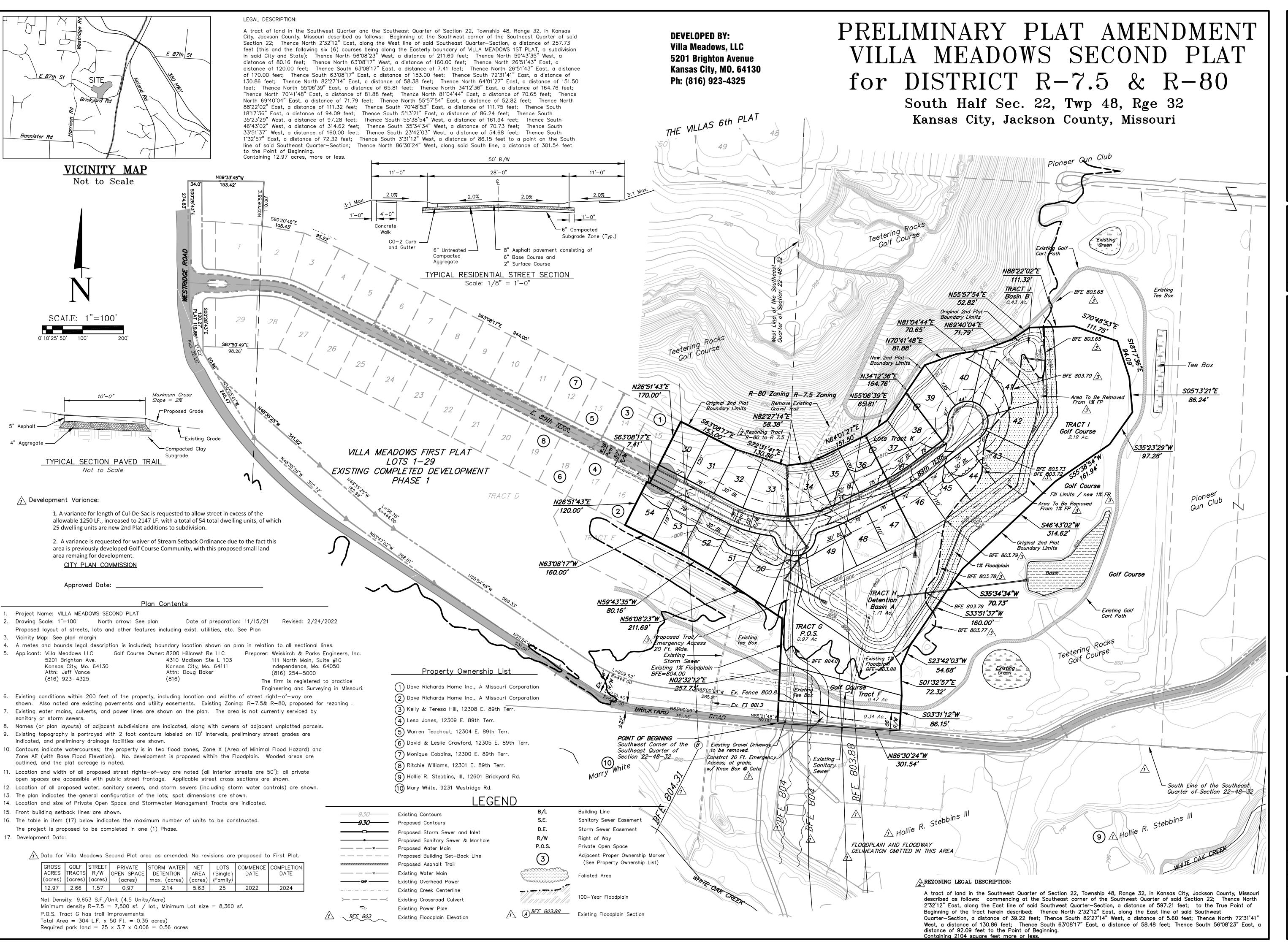
Condition(s) by Water Services Department. Contact Heather Massey at (816) 513-2111 / heather.massey@kcmo.org with questions.

31. The developer shall ensure that water and fire service lines should meet current Water Services Department Rules and Regulations. Prior to C of O. https://www.kcwater.us/wp-content/uploads/2019/04/2018-Rules-and-Regulations-for-Water-Service-Lines.pdf

Condition(s) by Water Services Department. Contact Jerald Windsor at (816) 513-0413 / Jerald.Windsor@kcmo.org with questions.

32. 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.

The proposed water mains must be designed and constructed with a minimum of 10' of horizontal separation to existing and proposed parallel water and sewer mains. (Lots 30,31,37,38) (https://www.kcwater.us/wp-content/uploads/2019/04/2018-Rules-and-Regulations-for-Water-Main-Extensions.pdf) Water main easements shown on the final approved water main extension plans shall be shown on the Final Plat prior to KC Water approval



WEISKIRCH & PARKS ENGINEERS, INC.

MO. CERTIFICATE OF AUTHORITY

L.S. NO. 000247

111 NORTH MAIN, SUITE #10

INDEPENDENCE, MISSOURI 64050

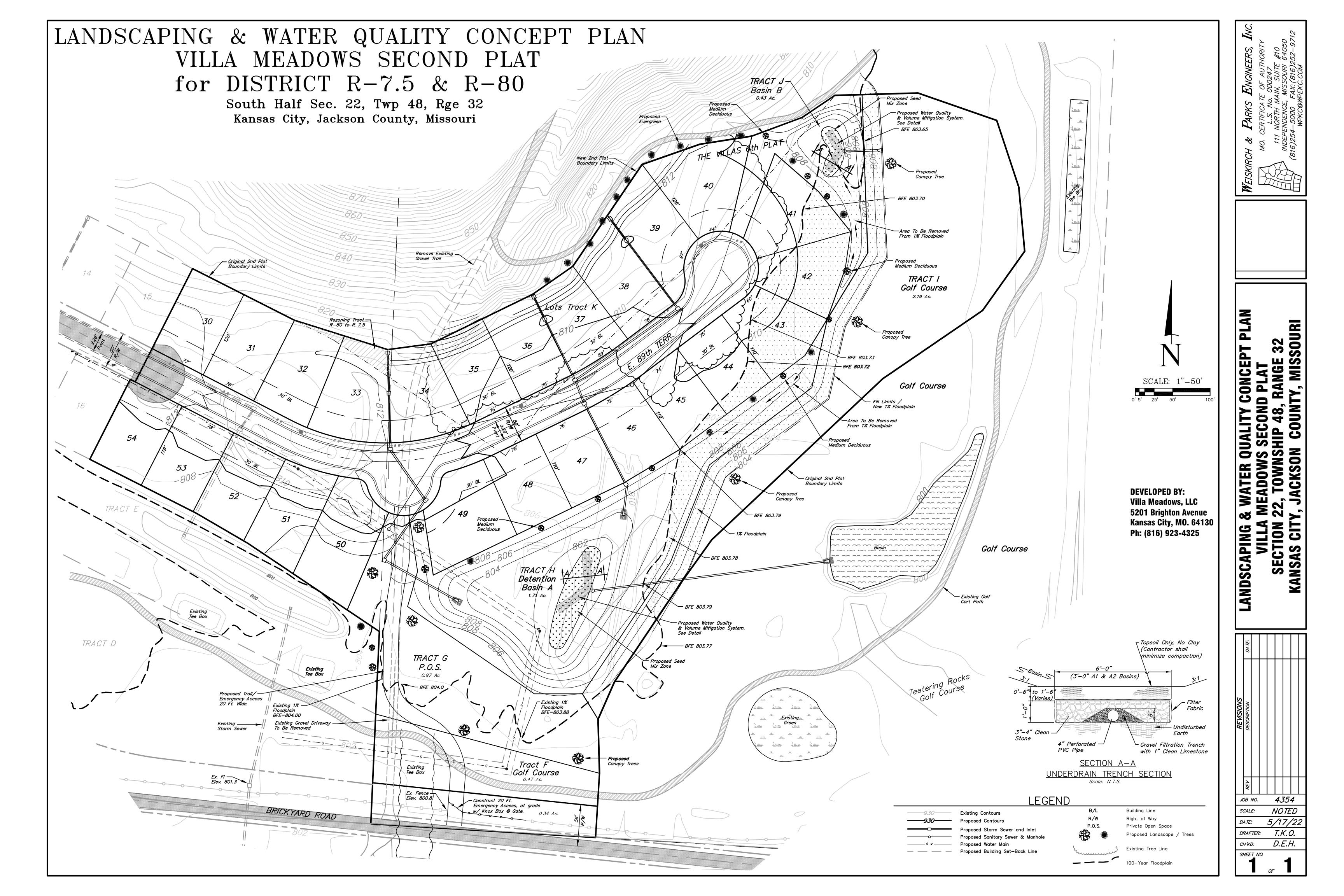
WPKC@WPFKC.COM

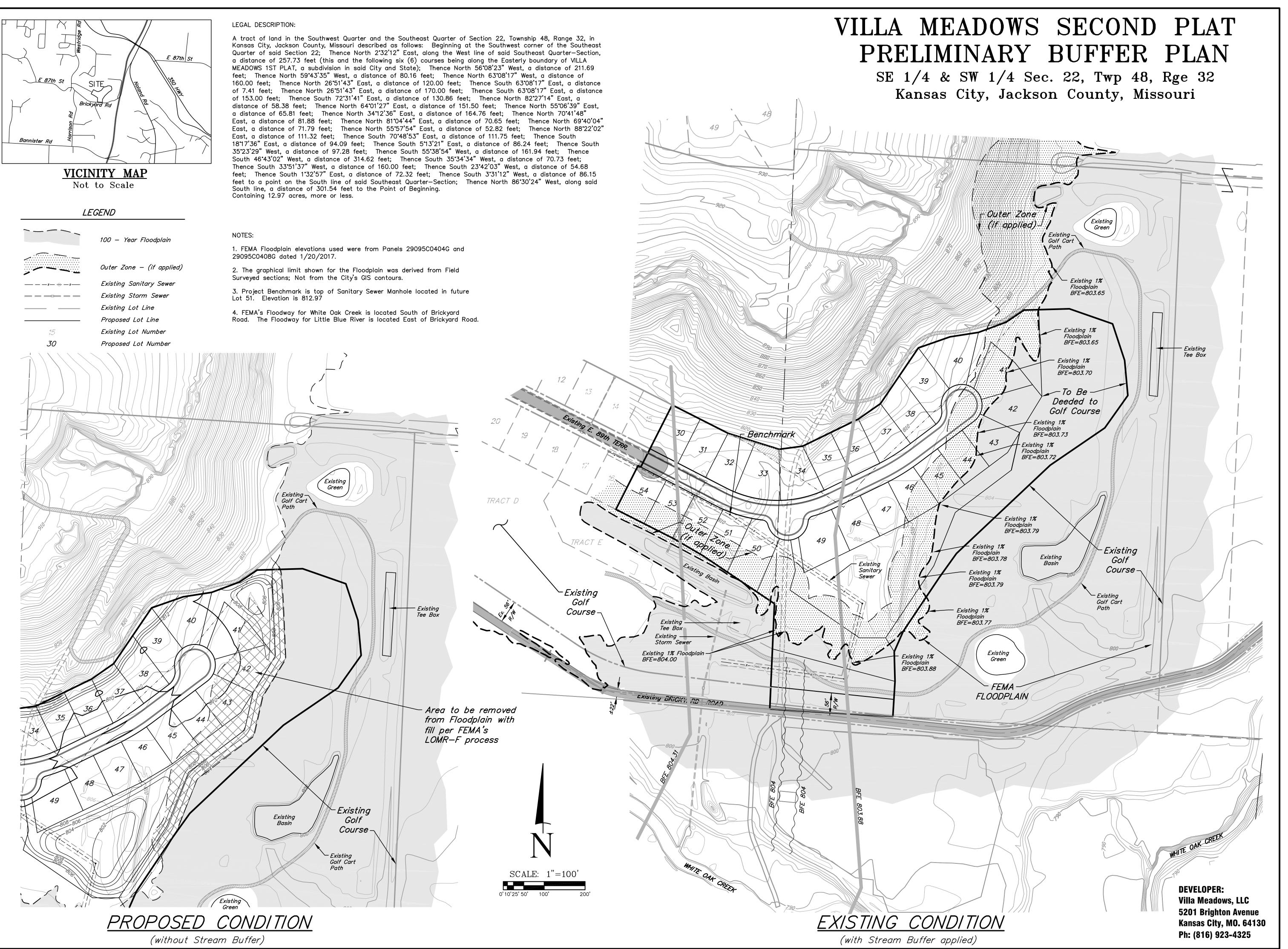
PRELIMINARY PLAT
VILLA MEADOWS SECOND PLAT
CTION 22, TOWNSHIP 48, RANGE 32
AS CITY, JACKSON COUNTY, MISSOURI

REVISIONS

REV
OCTABLE

OCTABL





FISKIRCH & PARKS ENGINEERS, INC.

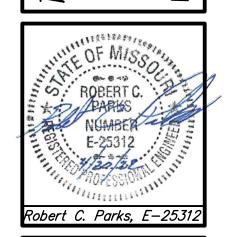
MO. CERTIFICATE OF AUTHORITY

NO. 001060

111 NORTH MAIN, SUITE #10

INDEPENDENCE, MISSOURI 64050

(816)254-5000 FAX: (816)252-9712



VILLA MEADOWS SECOND PLAT SECTION 22, TOWNSHIP 48, RANGE 32 NSAS CITY, JACKSON COUNTY, MISSOU

