



CITY PLAN COMMISSION STAFF REPORT

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

February 20, 2024

Kellybrook Seventh Plat Plat Name

Docket #C1

Request

CLD-FnPlat-2023-00032
Final Plat

Applicant

Robert Parks
Weiskirch and Parks Engineers, Inc.

Owner

Robert De La Fuente
Star Development, Inc.

Location 7703 NE 108th St
Area About 42 acres
Zoning R-7.5
Council District 1st
County Clay
School District Liberty 230

Surrounding Land Uses

North: Low Density Res., zoned R-7.5
South: Low Density Res., zoned R-7.5
East: Low Density Res., zoned R-7.5
West: Low Density Res., zoned R-7.5

Major Street Plan

The City's Major Street Plan does not identify NW 108th at this location

Land Use Plan

The Shoal Creek Valley Area Plan recommends Residential Low Density uses for the subject property.

APPROVAL PROCESS



PROJECT TIMELINE

The application for the subject request was filed on December 12th, 2023. Scheduling deviations from 2023 Cycle 2.1 have occurred.

- Revisions to the plat were required.

NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

A public hearing notification is not required for Final Plats therefore notice is not sent.

REQUIRED PUBLIC ENGAGEMENT

Public engagement as required by 88-505-12 does not apply to this request.

EXISTING CONDITIONS

The subject site is currently undeveloped. It is within the existing Kellybrook Development. To the North, is the existing Kellybrook First and Sixth Plat consisting of single family residential. To the south, is the Benson Place Landing, Second Plat consisting of single family residential. To the east, is the Kellybrook Second Plat and Third Plat, consisting of single family residential. To the west, is the Kellybrook Fifth Plat, consisting of primarily single-family residential. There is no associated regulated stream with the subject site.

SUMMARY OF REQUEST + KEY POINTS

The applicant is seeking approval of a Final Plat in District R-7.5 (Residential) on about 42 acres generally located at 7703 NE 108th St, allowing for the creation of 106 residential lots and 2 tracts.

CONTROLLING CASE

Case No. 10988CUP1 – Preliminary Plat generally located at the southeast corner of NE 108th St and N Eastern Ave in District R1a on about 208 acres.

PROFESSIONAL STAFF RECOMMENDATION

Docket #C1 Recommendation: **Approval Subject to Conditions**

PLAT REVIEW

The request is to consider approval of a Final Plat in District R-7.5 on about 42 acres generally located at 7703 NW 108th St creating 106 residential lots and 2 tracts to allow for a single-family residential development. This use was approved in Case No. 10988CUP1 which served as the Preliminary Plat. The preliminary plat proposed to develop 465 existing and proposed single-family lots, private open space and elementary school. The plan also proposes to construct new street connections and continuations of existing streets including N. Smalley, NE 105th Terrace, NE 105th St, N Richmond Ave., and N Manchester Ave. This Final Plat is in conformance with the Preliminary Plat as well as the lot and building standards of Section 88-110-04 of the Zoning and Development Code.

PLAT ANALYSIS

***indicates adjustment/deviation requested**

Standards	Applies	Meets	More Information
Lot and Building Standards (88-110-04)	Yes	Yes	Proposed Final Plat conforms to standards of Preliminary Plat
Accessory or Use- Specific Standards (88-305 – 385)	No		
Boulevard and Parkway Standards (88-323)	No		
Parkland Dedication (88-408)	Yes	Yes	Developer agrees to dedicate 2.35 acres of Parkland.

APPROVAL CRITERIA

No final plat may be approved unless the decision-making body finds that the proposed subdivision conforms with the approved preliminary plat with all applicable regulations and standards of this zoning and development code.

The request Final Plat is in conformance with the controlling plan and all standards as required by 88-555-04 of the Zoning and Development Code.

ATTACHMENTS

1. Conditions Report
2. Applicants Submittal

PROFESSIONAL STAFF RECOMMENDATION

City staff recommends **Approval Subject to Conditions** as stated in the conditions report.

Respectfully Submitted,



Justin Smith
Planner



Plan Conditions

Report Date: February 15, 2024

Case Number: CLD-FnPlat-2023-00032

Project: Kellybrook Seventh Plat

Condition(s) by City Planning and Development Department. Contact Matthew Barnes at (816) 513-8817 / matthew.barnes@kcmo.org with questions.

1. That prior to submitting documents for final approval the applicant upload Paid Tax Receipts for the most recent applicable year.
2. That prior to submitting documents for final approval the applicant update the plat to reflect the correct City Plan Commission Date, Ordinance Number, and Council Approval Date by utilizing the revised City Signature Block and insert Case No. CLD-FnPlat-2023-00032.
3. That prior to submitting documents for final approval the applicant ensure that the Title Report is current within 90 days or submits an updated Title Report.
4. That prior to recording of the Final Plat the developer shall secure approval of a project plan from the City Plan Commission for each private open space tract.
5. 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.
6. 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.
7. Prior to recording of the plat submit an executed original (hard copy) of the Covenant to Maintain Storm Water Detention and BMP Facilities. The covenants will be recorded simultaneously with the final plat.

Condition(s) by City Planning and Development Department. Contact Terry Thomas at (816) 513-2510 / Terry.A.Thomas@kcmo.org with questions.

8. The developer shall 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.
9. The developer shall pay impact fees as required by Chapter 39 of the City's Code of ordinances as required by the Land Development Division.
10. The developer shall submit a detailed Micro storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division showing compliance with the current, approved Macro study on file with the City and with current adopted standards in effect at the time of submission, including Water Quality BMP's, prior to approval and issuance of any building permits to construct improvements on the site or prior to recording the plat, whichever occurs first. The developer shall verify and/or improve downstream conveyance systems or address solutions for impacted properties due to flow contributions from the site; and that the developer construct any other improvements as required by Land Development Division as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase.
11. The developer shall 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
12. 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.
13. The developer shall integrate into the existing street light system any relocated existing street lights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.

Condition(s) by City Planning and Development Department. Contact Terry Thomas at (816) 513-2510 / Terry.A.Thomas@kcmo.org with questions.

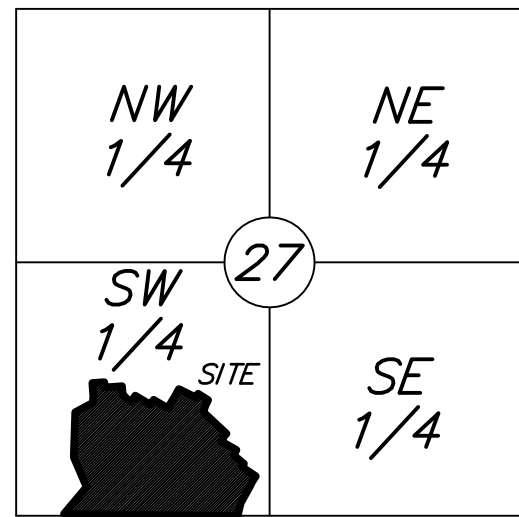
14. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri.
15. The developer shall secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development 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 shall submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, provide a copy of the SWPP plan submitted to MDNR and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.

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

17. • 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)
- Fire hydrant distribution shall follow IFC-2018 Table C102.1

Condition(s) by Water Services Department. Contact Lucas Kaspar at (816) 513-2131 / Lucas.Kaspar@kcmo.org with questions.

18. 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 and KC Water, prior to recording the plat or issuance of a building permit whichever occurs first.



SECTION LOCATION
Sec. 27, Twp. 52, Rge. 32
(Not to Scale)

FINAL PLAT KELLYBROOK SEVENTH PLAT

in the SW 1/4 of Sec. 27, Twp. 52, Rng. 32
Kansas City, Clay County, Missouri

LEGAL DESCRIPTION:

All that part of the Southwest Quarter of Section 27, Township 52, Range 32, in Kansas City, Clay County, Missouri, described as follows:
Beginning at the Southeast Corner of Tract K, KELLYBROOK FIFTH PLAT, a subdivision in said City and State, said point being South 89°17'51" East, 478.81 feet from the Southwest Corner of said Section 27;
Thence North 40° 01' 02" East, a distance of 350.00 feet, this and the following two (2) courses being along said KELLYBROOK FIFTH PLAT;
Thence North 23°03'50" West, a distance of 325.00 feet;
Thence North 01°43'59" East, a distance of 450.00 feet, to a point on the Southerly Boundary of Tract O, KELLYBROOK SIXTH PLAT, a subdivision in said City and State;
Thence North 61°43'34" East, a distance of 200.00 feet, this and the following fifteen (15) courses being along said KELLYBROOK SIXTH PLAT;
Thence North 04°42'11" East, a distance of 61.56 feet;
Thence North 03°25'01" West, a distance of 66.42 feet;
Thence North 04°06'03" West, a distance of 70.00 feet;
Thence North 85°53'57" East, a distance of 120.00 feet;
Thence South 04°06'03" East, a distance of 52.54 feet;
Thence North 85°53'57" East, a distance of 175.05 feet;
Thence South 03°44'39" East, a distance of 85.06 feet;
Thence South 45°42'22" East, a distance of 63.11 feet;
Thence South 59°01'51" East, a distance of 50.49 feet;
Thence North 30°58'09" East, a distance of 71.00 feet;
Thence South 59°01'51" East, a distance of 180.00 feet;
Thence North 30°58'09" East, a distance of 59.26 feet;
Thence South 59°01'51" East, a distance of 163.88 feet;
Thence North 31°30'03" East, a distance of 132.33 feet;
Thence North 29°10'14" East, a distance of 89.14 feet, to the most Westerly Corner of Lot 65, KELLYBROOK FIRST PLAT, a subdivision in said City and State;
Thence South 63°30'39" East, a distance of 190.13 feet to a point on a curve, this and the following six (6) courses being along said KELLYBROOK FIRST PLAT;
Thence Northeasterly along a curve to the right, to which the preceding course is radial, having a radius of 435.00 feet, an arc distance of 44.00 feet;
Thence South 57°42'55" East, along a line radial to the preceding course, a distance of 119.90 feet;
Thence South 27°12'47" West, a distance of 62.19 feet;
Thence South 17°02'56" West, a distance of 67.36 feet;
Thence South 46°59'15" East, a distance of 196.36 feet to the most Westerly Corner of Lot 209, KELLYBROOK THIRD PLAT, a subdivision in said City and State;
Thence South 46°57'09" East, a distance of 120.00 feet to a point on a curve; this and the following twelve (12) courses being along said KELLYBROOK THIRD PLAT;
Thence Southwesterly along a curve to the left, to which the preceding course is radial, having a radius of 275.00 feet, an arc distance of 65.85 feet to a point of tangency;
Thence South 29°19'39" West, a distance of 28.06 feet;
Thence South 60°40'21" East, a distance of 175.00 feet;
Thence South 29°19'39" West, a distance of 59.64 feet;
Thence South 50°17'53" East, a distance of 135.01 feet to a point on a curve; this and the following twelve (12) courses being along said KELLYBROOK THIRD PLAT;
Thence Southwesterly along a curve to the left, to which the preceding course is radial, having a radius of 365.00 feet, an arc distance of 37.05 feet;
Thence South 56°06'50" East, along a line radial to the preceding course, a distance of 170.00 feet;
Thence South 32°46'33" West, a distance of 64.85 feet;
Thence South 27°09'55" West, a distance of 70.00 feet;
Thence South 28°35'38" West, a distance of 172.86 feet;
Thence South 14°14'34" West, a distance of 133.09 feet to a point on the South line of the Southwest Quarter of said Section 27;
Thence North 89°17' 51" West, along said South line, a distance of 1737.56 feet to the Point of Beginning;

Containing 42.19 acres, more or less.

DEVELOPED BY:
STAR DEVELOPMENT CORPORATION
244 W. Mill Street, Suite 101
Liberty, MO 64068
Ph: (816) 781-3322
Attn: Tim Harris

SURVEYOR'S CERTIFICATION:
I hereby certify that the plat of KELLYBROOK SEVENTH PLAT subdivision is based on an actual survey made by me or under my direct supervision and that said survey meets or exceeds the current standards as adopted by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects to the best of my professional knowledge and belief.

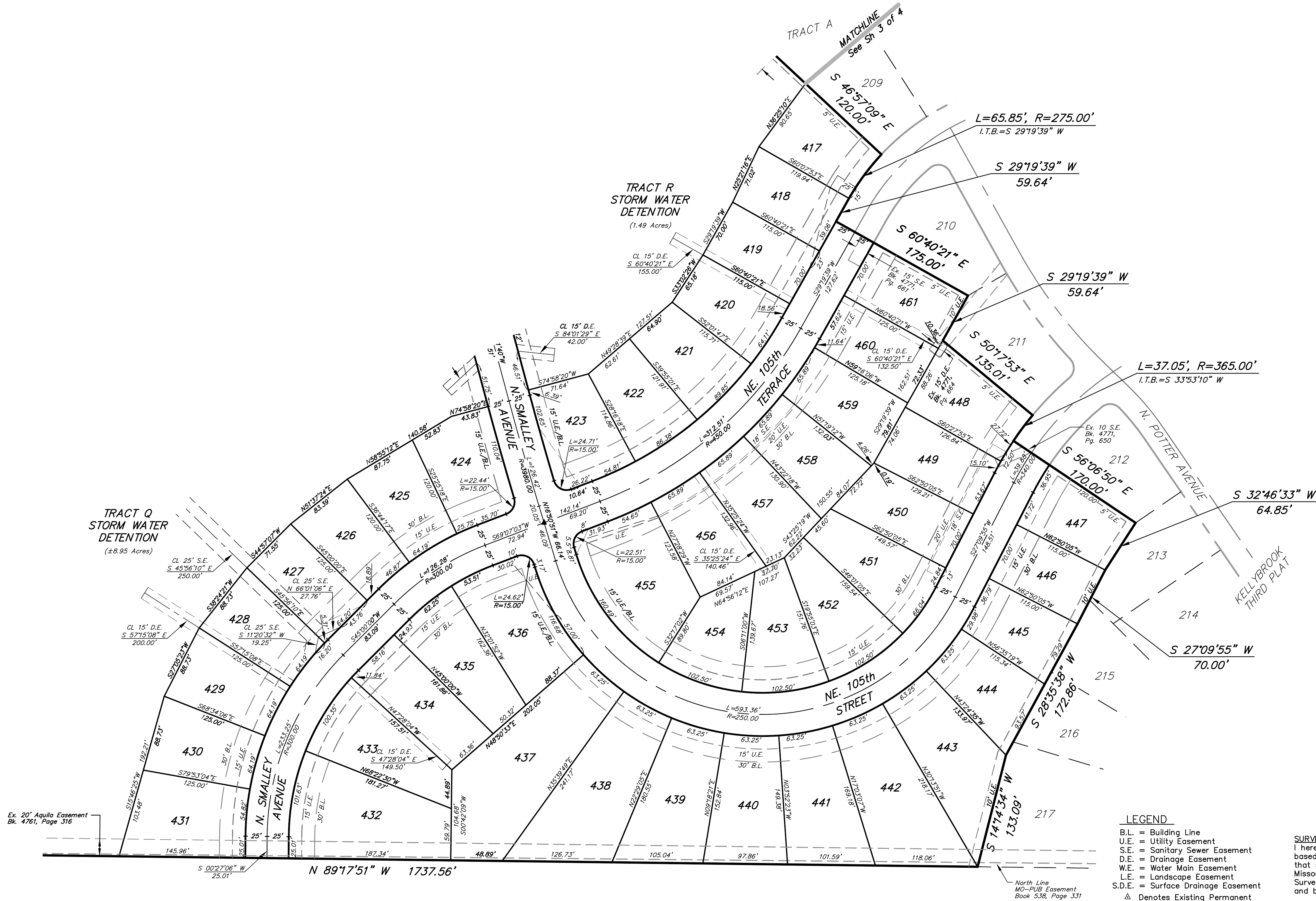
DO NOT
RECORD

ROBERT C. PARKS, MO LS NO. 2362

WEISKIRCH & PARKS ENGINEERS, INC.
MO. CERTIFICATE OF AUTHORITY
L.S. No. 000247
111 NORTH MAIN, SUITE #10
INDEPENDENCE, MISSOURI 64050
(816) 254-5000 FAX: (816) 252-9712
WPKC@WPKC.COM

FINAL PLAT
KELLYBROOK SEVENTH PLAT
IN THE SW QUARTER OF SEC. 27, TWP. 52, RNG 32
KANSAS CITY, CLAY COUNTY, MISSOURI

REV	DESCRIPTION	DATE
1	No Changes to this Sheet	1/29/24
JOB NO.	4439	
SCALE:	NOTED	
DATE:	12/11/23	
DRAFTER:	T.K.O.	
CHKD:	B.P.	
SHEET NO.	1	OF 4



DEVELOPER: STAR DEVELOPMENT CORPORATION
244 W. Mill Street, Suite 101
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- LEGEND**
- B.L. = Building Line
 - U.E. = Utility Easement
 - S.E. = Sanitary Sewer Easement
 - D.E. = Drainage Easement
 - W.E. = Water Main Easement
 - L.E. = Landscape Easement
 - S.D.E. = Surface Drainage Easement
 - Δ Denotes Existing Permanent Monument
 - ▲ Denotes Permanent Monument to be Set after Street Construction
 - Denotes Found Existing Bar
 - Denotes 1/2" Bar to be Set with Plastic Cap

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<u>LAND DATA</u>	<u>AREA</u>
Total Land Area	42.19 acres
Land Area for Proposed and Existing Right of Way	5.48 acres
Net Land Area	36.71 acres
<u>PLAT DATA</u>	<u>COUNT</u>
Number of Lots	106
Number of Tracts	2

Point	Northing	Easting	Point	Northing	Easting
1	345,677.469	850,808.220	20	346,057.895	851,158.744
2	345,759.162	850,876.811	21	346,032.050	851,210.606
3	345,805.295	850,838.007	22	346,043.730	851,217.074
4	345,987.719	850,732.155	23	346,024.212	851,180.186
5	346,025.252	850,895.837	24	346,034.357	851,238.409
6	346,034.952	850,897.375	25	346,087.300	851,233.190
7	346,055.159	850,896.169	26	345,946.906	851,277.149
8	346,076.439	850,894.643	27	345,921.942	851,303.876
9	346,079.054	850,931.122	28	345,905.782	851,292.055
10	346,063.081	850,932.267	29	345,898.327	851,287.866
11	346,066.896	850,985.481	30	345,872.203	851,334.365
12	346,041.027	850,987.174	31	345,856.357	851,325.463
13	346,027.594	851,000.942	32	345,830.074	851,357.120
14	346,019.675	851,014.137	33	345,821.036	851,350.360
15	346,038.229	851,025.272	34	345,792.149	851,393.370
16	346,010.000	851,072.310	35	345,775.531	851,382.671
17	346,025.486	851,081.604	36	345,756.550	851,372.931
18	345,999.786	851,124.429	37	345,710.293	851,347.717
19	346,034.173	851,145.502	38	345,710.978	851,337.738

FROM	NORTHING	EASTING	DIRECTION	GRID DISTANCE	TO
CL-08A			N 51°38'16" E		CL-08
	347,641.624	850,980.536	S 50°42'35" E	647.011 m	TP-1
TP-1	347,231.904	851,481.288	S 00°30'40" W	762.167 m	TP-2
TP-2	346,469.778	851,473.381	N 89°30'59" W	77.631 m	TP-3
TP-3	346,470.433	851,395.753	S 87°11'01" W	264.709 m	TP-4
TP-4	346,457.427	851,131.364	S 22°30'17" W	844.248 m	P.O.B

NOTE:
Existing easement information was obtained from the Informational Report prepared by Thomson-Affinity Title, LLC, File No.: 236188.

<u>LOCATION</u>	<u>ELEV.</u>	<u>V.C.T.</u>
<u>N. RICHMOND AVENUE</u>		
66.35' South of NE 106th Street	235.86	---
116.35' South of NE 106th Street	234.85	50'
276.35' South of NE 106th Street	240.48	75'
CL NE 105th Street	233.43	---
<u>N. MANCHESTER AVENUE</u>		
CL NE 105th Street	246.54	---
52.91' North of NE 105th Street	245.48	30'
442.91' North of NE 105th Street	254.18	25'
507.87' North of NE 105th Street (Plat Boundary)	256.78	---
<u>NE. 105TH STREET/N. SMALLEY AVENUE</u>		
CL N. Richmond Avenue	233.43	---
38.88' East of N. Richmond Avenue	233.00	25'
113.88' East of N. Richmond Avenue	234.50	25'
413.88' East of N. Richmond Avenue	247.28	60'
563.88' East of N. Richmond Avenue	245.00	25'
813.88' East of N. Richmond Avenue	248.96	50'
1063.88' East of N. Richmond Avenue	260.21	50'
1203.27' East of N. Richmond Avenue (Plat Boundary)	263.00	---
<u>N. SMALLEY AVENUE/NE 105TH STREET</u>		
CL NE 105th Street/N. Smalley Avenue	248.00	---
62.19' East of NE 105th Street/N. Smalley Avenue	246.75	25'
212.19' East of NE 105th Street/N. Smalley Avenue	237.00	70'
362.19' East of NE 105th Street/N. Smalley Avenue	241.50	---
CL NE 105th Terrace	243.06	---
121.77' East of NE 105th Terrace	245.50	50'
371.77' East of NE 105th Terrace	257.00	50'
671.77' East of NE 105th Terrace	264.90	100'
827.84' East of NE 105th Terrace (Plat Boundary)	258.47	---
<u>N. SMALLEY AVENUE/NE 105TH TERRACE</u>		
540.57' West of NE 105th Street (Plat Boundary)	246.50	---
317.50' West of NE 105th Street	236.46	75'
CL NE 105th Street	243.06	---
57.50' East of NE 105th Street	241.91	35'
332.50' East of NE 105th Street	250.06	50'
457.50' East of NE 105th Street	251.31	66'
523.50' East of NE 105th Street	252.99	---

KELLYBROOK FIRST PLAT	73 S.F. lots	1.62 acres
KELLYBROOK SECOND PLAT	71 S.F. lots	1.58 acres
KELLYBROOK THIRD PLAT	73 S.F. lots	1.62 acres
KELLYBROOK FOURTH PLAT	1 S.F. lots	0.02 acres
KELLYBROOK FIFTH PLAT	62 S.F. lots	1.38 acres
KELLYBROOK SIXTH PLAT	75 S.F. lots	1.67 acres
KELLYBROOK SEVENTH PLAT	106 S.F. lots	2.35 acres

KELLYBROOK	FIRST PLAT	6.08 acres
	Tracts A, B & C – Pool & Trail Improvements	
KELLYBROOK	SECOND PLAT	4.40 acres
	Tract F – Parkland – Res #25967	
KELLYBROOK	THIRD PLAT	0.23 acres
	Tract B – Trail Improvements	
KELLYBROOK	FOURTH PLAT	0.00 acres
	No Improvements	
KELLYBROOK	FIFTH PLAT	1.97 acres
	Tract K – Trail Improvements	
KELLYBROOK	SIXTH PLAT	
	No Improvements	
KELLYBROOK	SEVENTH PLAT	
	No Improvements	

Tract R is to be used for Private Open Space and their maintenance shall be the responsibility of the Kellybrook Homes Association, Inc. as described in the "Supplemental Declaration of Covenants, Restrictions, Easements, Charges, Assessments and Liens for Kellybrook (7th Plat Annexation) recorded simultaneously with this plat.

DEVELOPER: STAR DEVELOPMENT CORPORATION
244 W. Mill Street, Suite 101
Liberty, MO 64068
(816) 781-3322
Attn: Tim Harris

<u>PLAT DEDICATION:</u> KELLYBROOK SEVENTH PLAT	Reserved for County Recording Stamp
<u>PRIVATE OPEN SPACE DEDICATION:</u> 0 acres Parkland	
<u>RECORD AS:</u> Plat	

ROBERT C. PARKS, MO LS NO. 2362

FINAL PLAT
KELLYBROOK SEVENTH PLAT
IN THE SW QUARTER OF SEC. 27, TWP. 1
KANSAS CITY, CLAY COUNTY, MISSOURI

[illegible]