

# CITY PLAN COMMISSION STAFF REPORT

City of Kansas City, Missouri
City Planning & Development Department
<a href="https://www.kcmo.gov/cpc">www.kcmo.gov/cpc</a>

August 21st, 2024

# Highland Plaza West 2<sup>nd</sup> Plat Plat Name

#### Docket #C1

# Request

CLD-FnPlat-2024-00011 Final Plat

# **Applicant**

Art Akin

AGC Engineers, Inc.

#### **Owner**

Robert De La Fuente Amber Meadows Inc. Matthew Iway Star Development

**Location** 9880 N Cedar Ave About 4 acres

Zoning B2-2
Council District 1st
County Clay
School District Libert

School District Liberty 230

# **Surrounding Land Uses**

North: Residential, zoned R-7.5 South: Retail, zoned B2-2 East: Residential, zoned R-7.5 West: Residential, zoned R-2.5

# **Major Street Plan**

The City's Major Street Plan does not identify N Cedar Ave or NE 99<sup>th</sup> St at this location.

#### Land Use Plan

The Shoal Creek Valley Area Plan recommends Mixed-Used Community uses for the subject property.

## APPROVAL PROCESS



#### **PROJECT TIMELINE**

The application for the subject request was filed on April 10<sup>th</sup>, 2024. Scheduling deviations from 2024 Cycle 5.2 have occurred.

- Development Plan serving as preliminary plat was not complete.

# **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 Kiddie Academy Development. To the North South East West. 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 B2-2 on about 4 acres generally located at the southwest corner of NE 99<sup>th</sup> St and Cedar Ave, allowing for the creation of two lots and one tract.

# **CONTROLLING CASE**

**Case No. CD-CPC-2021-00XXX** – Development Plan, serving as a preliminary plat, located at the southwest corner of NE 99<sup>th</sup> St and Cedar Ave, generally located at 9880 N Cedar Ave, zoned B2-2, approved by Ordinance No. 240509 on July 27<sup>th</sup>, 2024.

#### PROFESSIONAL STAFF RECOMMENDATION

Docket #C1 Recommendation: Approval Subject to Conditions

#### **RELEVANT CASES**

Case No. 6158-CP-7 – Ordinance No. 000889 Rezoning from District R-1a (one-family dwellings, medium density) and District CP-2 (local planned business center) to District CP-2, and approval of a preliminary development plan for a retail/office development (Highland Park Business Center).

#### **PLAT REVIEW**

The request is to consider approval of a Final Plat in District B2-2 on about 4 acres generally located at southwest corner of NE 99<sup>th</sup> Street and Cedar Avenue creating two lots and one tract to allow for a commercial development. This use was approved in Case No. CD-CPC-2024-00002 which served as the Preliminary Plat. The development plan proposed to develop a 13,000 square foot daycare center on lot 1. The developer is leaving lot 2 open for a future development. The plan also proposes to construct new sidewalks along North Cedar Avenue and Northeast 99<sup>th</sup> Street. This Final Plat is in conformance with the Preliminary Plat as well as the lot and building standards of Section 88-120 of the Zoning and Development Code.

#### **PLAT ANALYSIS**

## \*indicates adjustment/deviation requested

Standards	Applies	Meets	More Information
Lot and Building Standards (88-120)	Yes	Yes	
Accessory or Use- Specific Standards (88-305 – 385)	No		
Boulevard and Parkway Standards (88-323)	No		
Parkland Dedication (88-408)	No		

#### **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

# KANSAS CITY Planning & Dev

# **Plan Conditions**

Report Date: August 13, 2024

Case Number: CLD-FnPlat-2024-00011 Project: Highland Plaza West 2nd Plat

Condition(s) by City Planning and Development Department. Contact Justin Smith at (816) 513-8823 / justin.smith@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 the final approval of conditions the applicant update the plat to reflect the correct City Plan Commission Date, Ordinance Number, and Council Approval Date by utilizing the Official City Signature Block found under Table 7 in the Directors Minimal Submittal Requirements and insert Case No. CLD-FnPlat-2024-00011.
- 3. That prior to submitting documents for the final approval of conditions the applicant ensure that the Title Report is current within 90 days or submit an updated Title Report.
- 4. That prior to recording the Final Plat the developer shall upload and secure approval of a Street Tree Planting Plan from the City Forester.
- 5. That prior to issuance of the Certificate of Occupancy for each lot within the plat 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.
- 6. That prior to submitting documents for the final approval of conditions the applicant update the plat to add the tabular data from table 6 of the director's minimum submittal requirements.
- 7. That prior to submitting documents for the final approval of conditions the applicant update the plat to reference the name of the covenant document to be recorded simultaneously with the plat per Sec. 88-408-E of the Zoning and Development Code.

Condition(s) by Public Works Department. Contact Terry Thomas at (816) 513-2510 / Terry.A. Thomas@kcmo.org with questions.

- 8. The developer shall submit a letter to the Land Development Division from a Licensed Civil Engineer, Licensed Architect, or Licensed Landscape Architect, who is registered in the State of Missouri, that identifies sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 11/5/2013" and based on compliance with Chapters 56 and 64 of the Code of Ordinances for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, gutters that need to be constructed, repaired, or reconstructed to remedy deficiencies and/or to remove existing approaches no longer needed by this project. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages as required by the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate occupancy permits.
- 9. The developer shall 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.
- 10. The developer shall submit plans to the Land Development Division and obtain permits to construct sidewalks along the platted frontage of N Cedar Ave and to a tie-in point with the existing sidewalks. In addition, developer shall construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
- 11. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.
- 12. 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 Public Works Department. Contact Terry Thomas at (816) 513-2510 / Terry.A. Thomas@kcmo.org with questions.

13. 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.

Condition(s) by Water Services Department. Contact Lucas Kaspar at (816) 513-2131 / Lucas.Kaspar@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, as amended, commonly known as the Development Regulations.
- 15. The owner/developer must submit plans for grading, siltation, and erosion control to KC Water 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.
- 16. The developer must secure permits to extend sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by KC Water, prior to recording the plat or issuance of a building permit whichever occurs first.
- 17. The developer shall provide a private storm drainage easement for the private storm sewer main prior to issuance of any building permits.
- 18. The developer shall submit a detailed Micro storm drainage analysis from a Missouri-licensed civil engineer to KC Water 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 KC Water as necessary to mitigate impacts from rate, volume, and quality of runoff from each proposed phase.
- 19. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by KC Water 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.
- 20. The developer must grant a BMP Easement to the City as required by KC Water, prior to recording the plat or issuance of any building permits.
- 21. The developer must enter into a covenant agreement for the maintenance of any storm water detention area tracts as required by KC Water, prior to recording the plat.
- 22. The proposed storm sewer shall be a private main located within a private storm drainage easement and be covered by a Covenant to Maintain Private Storm Sewer Main acceptable to KC Water.
- 23. The developer shall provide a Covenant to Maintain Private Storm Sewer Main acceptable to KC Water for the private storm sewer main prior to the issuance of any building permits.

HIGHLAND PLAZA WEST 2ND PLAT SECTION 36, T52N, R32W

DWG. NO. **PROJECT** 

MUELLER

NUMBER / 13-2487

MARTIN MUELLER

RESERVED FOR COUNTY RECORDING STAMP

DATE **REVISIONS AS NOTED** CHECKED PPROVED MARCH 18, 2024 APPROVAL



FINAL PLAT HIGHLAND PLAZA WEST 2ND PLAT

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