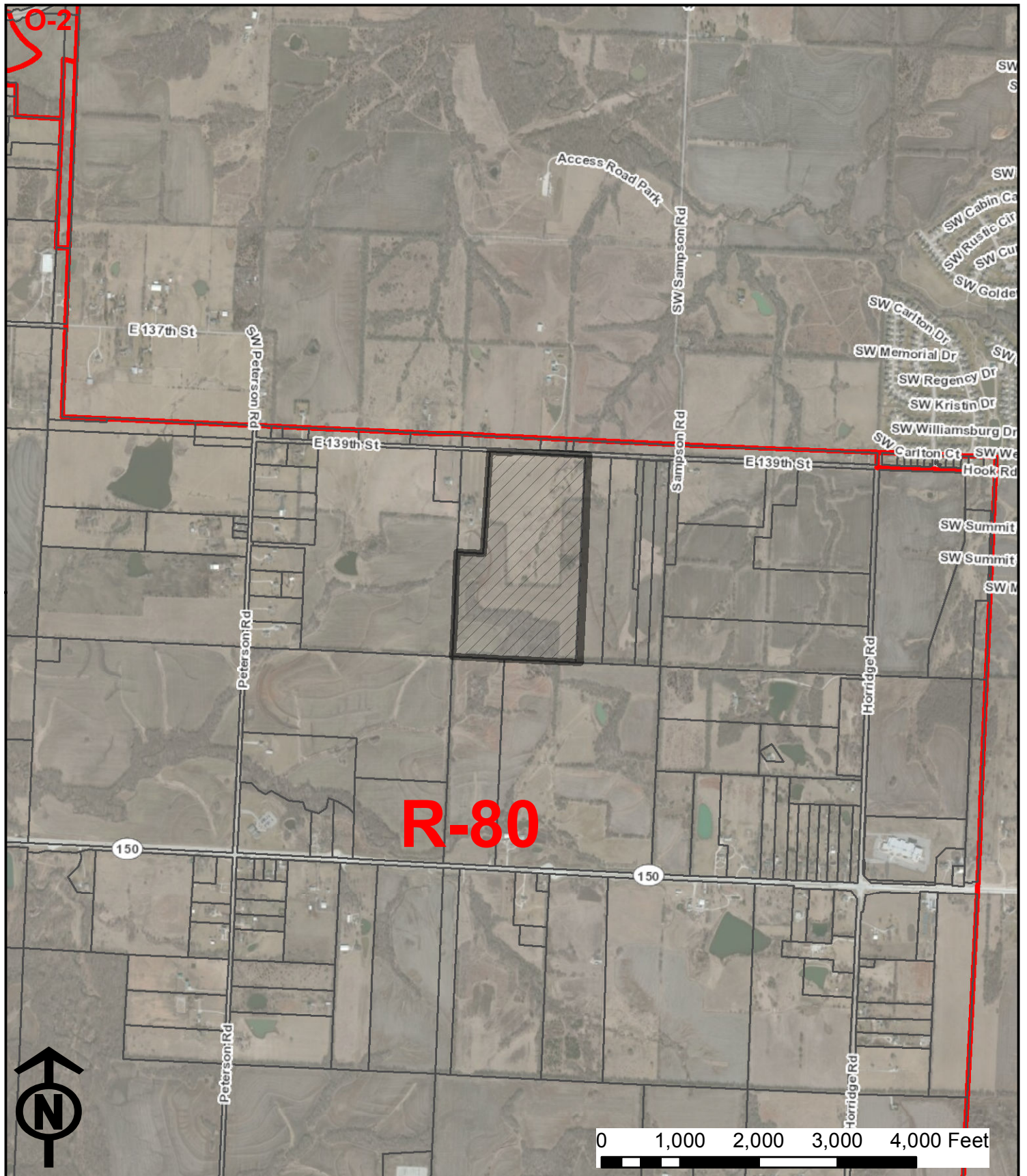


Case No. 14403-P-1 - 11221 E. 139<sup>th</sup> Street. - To consider a request for a development plan on a residential lot located on the south side of E. 139<sup>th</sup> Street between Peterson Road to the west and Horridge Road to the east, to allow multiple principle buildings on one lot.





# City Planning & Development Department

Development Management Division

15th Floor, City Hall  
414 East 12th Street  
Kansas City, Missouri 64106-2795

816 513-2846  
Fax 816 513-2838

## STAFF REPORT

May 20, 2014

(14)

**RE:** Case No. 14403-P-1

**APPLICANT/ OWNER:** Kim Witherspoon  
16101 Slater Avenue  
Belton, MO 64149

**LOCATION:** **11221 E 139<sup>th</sup> Street** - Generally on the south side of E. 139<sup>th</sup> Street between Peterson Road to the west and Horridge Road to the east.

**AREA:** About 85 acres.

**REQUEST:** To consider a request for a development plan in District R-80 for to allow for multiple principle buildings on one lot and a commercial riding and boarding ranch.

**SURROUNDING  
LAND USE:**

**North:** Single family residential and agricultural

**East:** Single family residential and agricultural

**South:** Single family residential, agricultural and institutional (elementary school)

**West:** Single family residential and agricultural

**LAND USE PLAN:** The area plan for this subject site is the Longview Area Plan. The land use plan recommends agricultural uses at this location. The current use is consistent with that of the future land use plan.

**MAJOR STREET PLAN:** East 139<sup>th</sup> Street, which is designated as a thoroughfare on the Major Street Plan, borders the site on the north.

**PREVIOUS CASES:**

**CASE NO. 14403-A-** On July 23, 2013, the Board of Zoning Adjustment granted a variance to allow an accessory building in the front yard of a residential district, to allow for the construction of a barn.

## **EXISTING CONDITIONS:**

The subject site is an undeveloped low-density residential lot on the south side of E. 139<sup>th</sup> Street between Sampson Road to the east and Peterson Road to the west. The lot is zoned R-80 which allows agricultural uses and permits larger accessory structures to support these uses. Properties on the south side of E. 139<sup>th</sup> Street are located within the boundaries of Kansas City. Properties to the north of E. 139<sup>th</sup> Street are located in Lee's Summit.

The lot slopes north toward E. 139<sup>th</sup> Street. The southwest corner of the lot is the highest point and sits approximately 60 feet above the lowest end of the lot which is the northeast corner. Because of the grade, the north side of the lot is prone to flooding. A small pond is located in the northeast corner of the lot. There are patches of trees located throughout the lot. There is an existing single family house at the southern end of the lot and a barn for horses in front of the house. To the east of the house is an existing mother-in-law quarters.

## **PLAN REVIEW & ANALYSIS:**

The residentially zoned (R-80) lot is currently developed with an existing house and a mother-in-law quarter. Access to the site is via an existing driveway along the west side from E 139<sup>th</sup> Street.

The request is for approval of a development plan to allow for multiple principle buildings on one lot and a commercial riding and boarding ranch. The plan proposes to allow the existing residential uses to remain and additional construction within three phases. Phase I will be an 8,000 square foot stall barn and an exercise area. Phase II is proposed to be a 40' x 60' office and Phase III is a hay barn and additional out buildings. The plan is to allow for boarding and training of horses. No employees are anticipated for this operation.

**Per Chapter 88-517-02-F** - Development plan review and approval is required whenever multiple principal buildings are proposed to be located on a single lot.

88-517-12 City Council approval of development plans:

88-517-12-A. An approved development plan shall be considered to be a part of the zoning for the site, and the city council shall retain its legislative discretion with regard to this approval.

88-517-12-B. The city council may consider the proposed development plan's consistency with the purposes of this zoning and development code, as stated in 88-10-05, and with the site plan criteria in 88-530-09, and may consider any other relevant factors during its consideration of the development plan.

88-517-12-C. The city council may approve a development plan that deviates from any of the lot and building standards of this zoning and development code if the proposed use is consistent with the zoning of the property. Any deviations from the standards of this code shall be specifically called out as deviations and described on the development plan and will not be considered to be approved unless so stated.

88-517-12-D. If a use is approved on a development plan that would have required special use approval, no separate special use review will be required.

88-517-12-E. The city council may act by a simple majority vote, except that when a valid protest petition has been submitted in accordance with 88-515-09 approval requires a 2/3 majority vote of the full membership of the city council.

Staff believes that all of these criteria are met with the requested amendment to the proposed application. At the DRC meeting staff informed the developer of the need to revise the submitted plan set to meet the requirements of Development Management Division's City Plan Commission application checklist in its entirety.

## **RECOMMENDATIONS:**

City Planning and Development Staff recommends approval of Case No. 14403-SU-1 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 7, 2014 meeting:

1. That five (5) collated, stapled and folded copies (and a 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 plan coordinate system) of (a revised drawing /all listed sheets), revised as noted, be approved by the Development Management staff (15<sup>th</sup> Floor, City Hall) prior to action by the Board of Zoning Adjustment showing:
  - a. Address all the corrections on the checklist handed out by Development Management at the May 7, 2013 DRC meeting.
  - b. Show existing septic fields on the face of the plan.
  - c. Signage plan that meets the requirement of Chapter 88-445 in its entirety.
2. That the developer submit a detailed Micro storm drainage study, in general compliance with adopted standards, including a BMP level of service analysis, prior to approval and issuance of any building permits, that the developer verify and/or improved downstream conveyance

systems to address changes in flow characteristics leaving the site and that the developer construct any other improvements as required by Land Development Division as necessary to mitigate changes in rate, volume, and quality of runoff from the proposed parking area.

3. 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.
4. The developer must dedicate right of way for E. 139th Street as required by the Land Development Division so as to provide a total of 50 feet of right of way as measured from the centerline of E. 139th Street via general warrantee deed.
5. 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 within the planned boundary without the prior written consent of the Land Development Division.
6. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review, acceptance, and permitting for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
7. The owner/developer must secure a Site Disturbance permit from the Land Development Division prior to beginning any construction, grading, clearing, or grubbing activities, if the disturbed area equals one acre or more during the life of the construction activity.
8. The developer must grant on City approved forms, BMP Easements to the City, as required by Chapter 88 and Land Development Division, prior to issuance of any building permits or bmp permits, whichever occurs first.

Respectfully submitted,



Olofu O. Agbaji  
Planner

# DEVELOPMENT PLAN FOR FORBES RANCH

**ORDERED BY**

BRIAN NUNNENKAMP & KIMBERLY WITHERSPOON  
 11221 E. 139TH STREET  
 KANSAS CITY, MO 64149  
 BRIAN CELL (816) 225-8851  
 KIM CELL (913) 515-8495  
 BRIAN187@YMAIL.COM

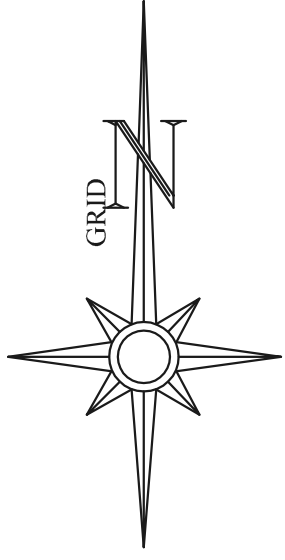
**DEED REFERENCE:**

TRUSTEES WARRANTY DEED  
 INSTRUMENT No. 2013E0044938  
 RECORDED: 05/02/2013

JACKSON COUNTY MISSOURI TAX  
 PARCEL No. 69-400-02-06-00-0-00-000

**ZONING:**

R-80

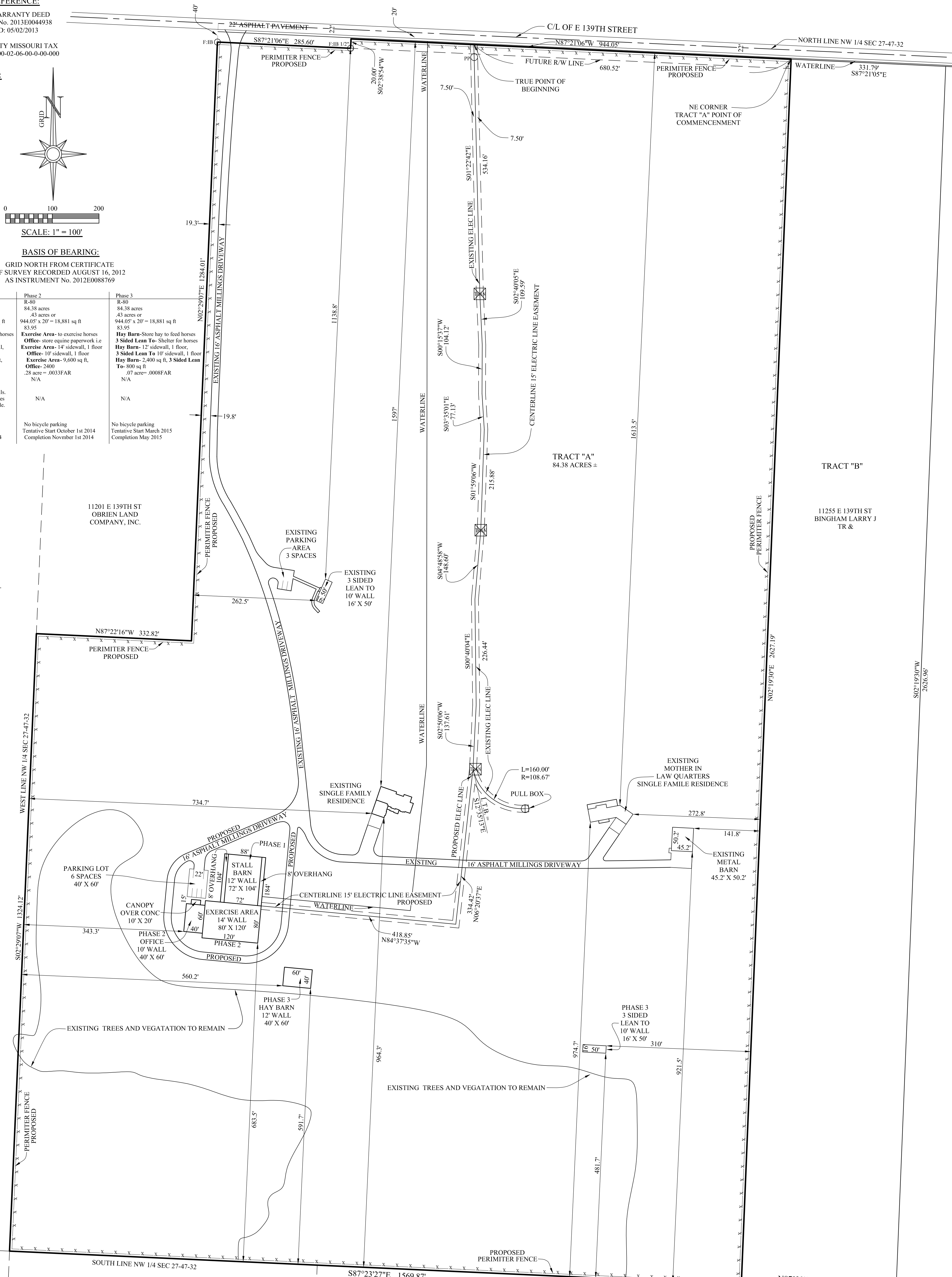


SCALE: 1" = 100'

**BASIS OF BEARING:**

GRID NORTH FROM CERTIFICATE  
 OF SURVEY RECORDED AUGUST 16, 2012  
 AS INSTRUMENT No. 2012E0088769

Phase 1	Phase 2	Phase 3
a. R-80 84.38 acres	R-80 84.38 acres	R-80 84.38 acres
b. .43 acres or 944.05' x 20' = 18,881 sq ft	.43 acres or 944.05' x 20' = 18,881 sq ft	.43 acres or 944.05' x 20' = 18,881 sq ft
c. 83.95	83.95	83.95
d. Stall Barn- Shelter for horses	Exercise Area- to exercise horses	Hay Barn-Store hay to feed horses
e. Stall Barn- 12' sidewall, 4-12 pitch, 1 floor	Office- store equine paperwork i.e	3 Sided Lean To- Shelter for horses
f. Stall Barn- 7.488 sq ft, 1 floor	Exercise Area- 14' sidewall, 1 floor	Hay Barn- 12' sidewall, 1 floor
g. Stall Barn- 7.488 sq ft, 1 floor	Office- 10' sidewall, 1 floor	3 Sided Lean To 10' sidewall, 1 floor
h. 17 acre -.002FAR	Exercise Area- 9.600 sq ft	Hay Barn- 2.400 sq ft, 3 Sided Lean
i. N/A	Office- 2400	To- 800 sq ft
j. 88-120 Stall Barn- 1 parking spot per 10 stalls. Providing 6 parking spaces 10x19' with 22' center isle. Not Paved. It will be Asphalt Milling	N/A	N/A
k. No bicycle parking Start June 1st 2014- Completion July 1st 2014	No bicycle parking Tentative Start October 1st 2014 Completion November 1st 2014	No bicycle parking Tentative Start March 2015 Completion May 2015



**LAND DESCRIPTION:**

ALL THAT PART OF THE NORTHWEST 1/4 OF SECTION 27, TOWNSHIP 47 NORTH, RANGE 32 WEST, KANSAS CITY, JACKSON COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST 1/4; THENCE SOUTH 87°21'06" EAST ALONG THE NORTH LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 332.82 FEET; THENCE SOUTH 02°29'07" WEST, A DISTANCE OF 40.00 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF EAST 139TH STREET AND THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE SOUTH 87°21'06" EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 285.60 FEET; THENCE NORTH 02°38'54" EAST, A DISTANCE OF 20.00 FEET; THENCE SOUTH 87°21'06" EAST, A DISTANCE OF 994.05 FEET; THENCE SOUTH 02°19'30" WEST, PARALLEL WITH THE EAST LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 2627.19 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST 1/4; THENCE NORTH 87°23'27" WEST ALONG THE SOUTH LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 1569.87 (FEET) TO THE SOUTHWEST CORNER OF SAID NORTHWEST 1/4; THENCE NORTH 02°29'07" EAST ALONG THE WEST LINE OF SAID NORTHWEST 1/4, A DISTANCE OF 1324.12 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4; THENCE SOUTH 87°22'16" EAST ALONG THE SOUTHERLY LINE OF SAID 1/4-1/4 SECTION LINE, A DISTANCE OF 332.82 FEET; THENCE NORTH 02°29'07" EAST, PARALLEL WITH THE WEST LINE OF SAID NORTHWEST 1/4; A DISTANCE OF 1284.01 FEET TO THE POINT OF BEGINNING.

ALSO KNOWN AS TRACT A AS SHOWN ON CERTIFICATE OF SURVEY RECORDED AUGUST 16, 2012 AS DOCUMENT No. 2012E0088769.

TYPE "C"-URBAN PROPERTY SURVEY



MICHAEL J. HUFFMAN  
 MO. RLS-2268  
 April 4, 2014  
 DATE

**HUFFMAN & ASSOCIATES**  
 Land Surveyors  
 P.O. BOX 661  
 RAYMORE, MISSOURI 64083  
 (816) 322-4544 FAX:331-4030  
 EMAIL: huffmanm@swbell.net

DATE: APRIL 4, 2014	DRAWN BY:	Projects/Jackson /Kansas City/I47 R32 S27/NUNENKAMP
SCALE: 1" = 100'	CHECKED BY: MJH	Site Plan For KCMO.dwg

**\*Lumber Specifications\***

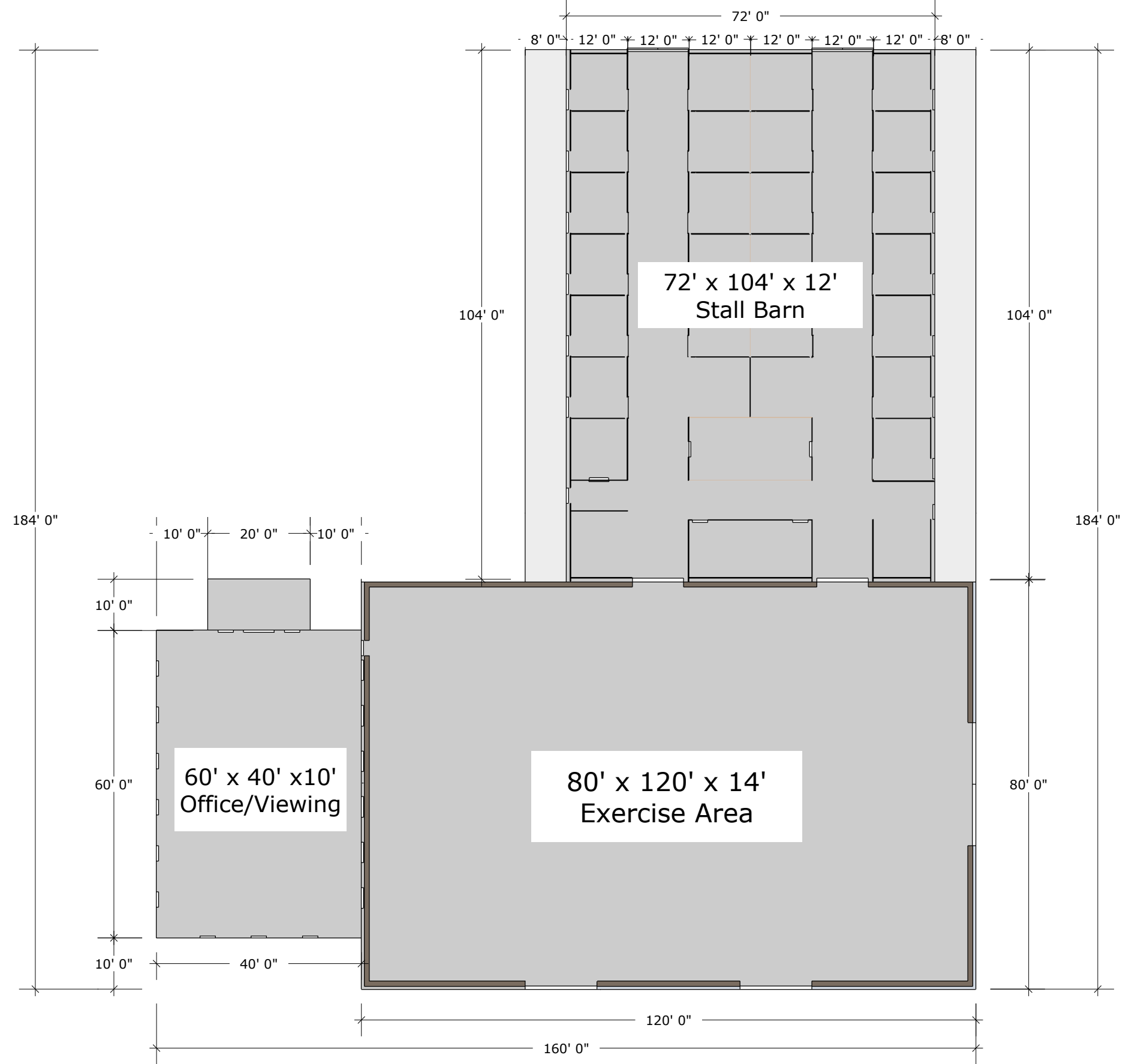
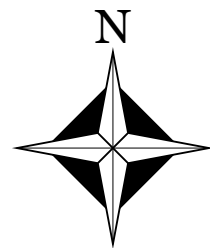
Laminated Posts:  
 3-ply 2x6,  
 8' o/c sides,  
 10' o/c Gables

**\*Lean-To Specifications\***

Posts: 6x6 Spacing: 10' o/c  
 I/S Header: 1 ply 2x12  
 O/S Header: 2 Ply 2x8  
 eere

**\*Steel Specifications\***

Steel	Color
Roof Steel:	Burnished Slate
Side Steel:	Buckskin
Gable Steel:	Buckskin
Trim:	Burnished Slate
Overhang:	Burnished Slate
Wainscoat:	Burnished Slate



Name: Kim Witherspoon

Address: 16101 Slater Ave., Belton, MO  
 Cell Phone: 913-515-8495

Sales Rep:  
 Ralph Bascom  
 Phone:  
 816-868-7921

Post Layout: 80'x120'x14' with 52'x104'x18'  
 attached & 60'x40'x10' attached

Drawn by:  
**Jason Davis**  
 3-31-14

