# CITY PLAN COMMISSION STAFF REPORT 

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KANSAS CITY Planning \& Dev 'I|l'
Project Name
Skyview Residential
Docket \#7
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## Request

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CD-CPC-2023-00017
- Rezoning with Plan (Preliminary Plat)
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## Applicant

Perla Diosdado
Kimley-Horn

## Owner

Mann, William T. Trust

Location
Area
Zoning
Council District
County
School Distric $\dagger$

11145 NW Skyview Ave. About 100 acres AG-R
2nd
Platte
Platte County

## Surrounding Land Uses

North: vacant Ag land, zoned AG-R
South: vacant Ag land, zoned AG-R
East: Single Family residences, zoned R7.5 (Tiffany Lakes).

West: Single Family residences on large tracts and agricultural farmlands zoned AG-R.

## Major Street Plan

Northwest Skyview Avenue is identified on the City's Major Street Plan as a
thoroughfare with 4 lanes at this location.

## Land Use Plan

The KCl Area Plan recommends
Commercial/ Industrial land use for this location. The proposed use in consistent with the future land use recommendation.

City of Kansas City, Missouri
City Planning \& Development Department
www.kcmo.gov/cpc
April 4, 2023

APPROVAL PROCESS


PROJECT TIMELINE
The application for the subject request was filed on January 30 , 2023. Scheduling deviation from 2023 Cycle F have occurred due to publication of the hearing.

## NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

The KCI Neighborhood Association is tied to the subject site.

## REQUIRED PUBLIC ENGAGEMENT

Public engagement as required by 88-505-12 applies to this request. Applicant hosted a meeting on March 7, 2023. A summary of the meeting is attached to the staff report, see Attachment \#3.

## EXISTING CONDITIONS

The project site is a 100 -acre parcel generally located at the northeast corner of NW 108 th Street and NW Skyview Avenue (approximately 800 feet north of NW $108^{\text {th }}$ Street). The site is a combination of three parcels. To the north, south and west of the subject site are agricultural farmland zoned AG-R. To the east are single family residences within Tiffany Lakes subdivision zoned R-7.5. There are existing regulated streams within this proposed development.

## SUMMARY OF REQUEST + KEY POINTS

The applicant is seeking approval of a rezoning from District AG-R (Agricultural-Residential) to District MPD (Master Planned Development) to allow for a Residential Development, which also serves as a preliminary plat (249 detached lots and 340 multifamily) and 9 tracts in 7 phases.

## CONTROLLING

There is no controlling case for the site.
PROFESSIONAL STAFF RECOMMENDATION Docket \#7. Approval with Conditions

PROJECT LOCATION


## AREA PLAN:

The site is within the KCI Area Plan which recommends Commercial/ Industrial land use. The proposed development plan is in conformance with the Area Plan future land use recommendation therefore an area plan amendment is not necessary.

## PLAN REVIEW

The applicant is seeking approval of a rezoning from District AG-R (Agricultural-Residential) to District MPD (Master Planned Development), which also serves as a preliminary plat to allow for a mixed Residential Development ( 249 detached lots and 340 multi-family) on about 100 acres in 7 phases. The subject site is generally located at the northeast corner of NW 108 ${ }^{\text {th }}$ Street and NW Skyview Avenue (approximately 800 feet north of NW 108 ${ }^{\text {th }}$ Street). The proposed development has about 2,000 feet of frontage on the west side of NW Skyview Avenue. Access to the development is proposed via three street connections on NW Skyview Avenue.

Skyview Residential is a 100-acre mixed residential development proposes 3 detached residential lot types and 8 multi-family buildings. The lots are proposed to be 6,480 square feet, 7,680 square feet and 8,320 square feet in size. The detached lots are proposed with 54 foot and 64 foot lot width. Setbacks are proposed to be 30 feet front and rear and 15 feet side on corner. The multi-family structures are proposed as 3 story buildings with a maximum height of 50 feet. There are three 45 -unit buildings and five 40 -unit buildings.

The site does preserve about 16 acres within the stream buffer area and proposes some amenities in lieu of parkland dedication. There is an accompanying stream buffer preliminary plan. The development shows a total of 2 future street connections to the north and south.

## PLAN ANALYSIS

Residential, Commercial, or Industrial Lot and Building (88-1 10), Use- Specific (88-300), and Development Standards (88-400)
*indicates adjustment/deviation

| Standards | Applies | Meets | More Information |
| :--- | :--- | :---: | :--- |
| Lot and Building Standards (88-110) | YES | YES | This is an MPD |
| Boulevard and Parkway Standards <br> (88-323) | NO | N/A |  |
| Parkland Dedication (88-408) | YES | YES |  |
| Parking and Loading <br> Standards (88-420) | YES | YES | To be reviewed with Final MPD Plan. |
| Landscape and Screening Standards <br> (88-425) | YES | NO | To be reviewed with Final MPD Plan. |
| Outdoor Lighting Standards (88-430) | NO | N/A | To be reviewed with Final MPD Plan. |
| Sign Standards (88-445) | YES | YES | Must comply with 88-445. |
| Pedestrian Standards (88-450) | YES | YES | To be reviewed with Final MPD Plan. |

## Requested Waivers

None

## Parkland Dedication:

According to Chapter 88-408 of the Zoning and Development Code, the developer can either, dedicate land for public park, provide open space for park purposes or provide money in lieu of parkland dedication. A plat is providing a need for the following:

249 single-family lots $\times 3.7 \times 0.006=5.5$ acres 5.5 acres $\times \$ 64,220.18$ (2023 Fees) $=\$ 354,996.31$

## SPECIFIC REVIEW CRITERIA

Zoning and Development Code Map Amendments, Rezonings (88-515-08)
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:
A. Conformance with adopted plans and planning policies;

The KCl Area Plan recommends Commercial/ Industrial land use for this location. The proposed use is consistent. OA
B. Zoning and use of nearby property;

Nearby properties are primarily single-family homes on large tract of land and abutting Tiffany Lakes subdivision. This proposal will be compatible. OA
C. Physical character of the area in which the subject property is located;

The proposed plan will be compatible with the physical character of the area. OA
D. Whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;
Utilities and infrastructure will be brought to City Standards, subject to the conditions in the attached report. OA
E. Suitability of the subject property for the use to which it has been restricted under the existing zoning regulations;
The current zoning designation is AG_R and the development cannot be done under the existing zoning. OA
F. Length of time the subject property has remained vacant as zoned;

The subject property has never been developed. OA
G. The extent to which approving the rezoning will detrimentally affect nearby properties; and The rezoning is not expected to detrimentally affect nearby properties. OA
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.
A denial of the application would not allow the development to occur thereby limiting the ability of the developer to complete this project. OA

Development Plans, Project Plan, or Site Plan (88-516-05)
In order to be approved, a development plan, project plan, or site plan must comply with all of the following criteria:
A. The plan must comply with all standards of the Zoning and Development Code and all other applicable city ordinances and policies;
The development plan complies with the applicable sections of the Zoning and Development Code and the recommended land use of the KCl Area Plan. OA
B. The proposed use must be allowed in the district in which it is located;

Detached houses and multi-family buildings will be permitted in the MPD zoning district. OA
C. Vehicular ingress and egress to and from the site, and circulation within the site must provide for safe, efficient, and convenient movement of traffic not only within the site but on adjacent roadways; The proposed plan meets the requirements for vehicular access and circulation. OA
D. The plan must provide for safe, efficient, and convenient non-motorized travel opportunities, being pedestrian and bicycle movement, on the subject site;
The proposed development plan is compliant. OA
E. The plan must provide for adequate utilities based on City standards for the particular development proposed.
There are adequate utilities proposed for the site. Existing sewer and water main connections are available. OA
F. The location, orientation, and architectural features, including design and material, of buildings and other structures on the site must be designed to be compatible with adjacent properties.
The Development Plan is proposing single family homes adjacent to Tiffany Lakes which is compatible with the surrounding land uses. OA
G. Landscaping, berms, fences, and/or walls must be provided to buffer the site from undesirable views, noises, lighting, or other off-site negative influences and to buffer adjacent properties from negative influences that may be created by the plan.
The development plan did not include a preliminary landscape plan to allow staff to review compliance with $88-405-05-$ F and $88-425-04-B$ of the Zoning and Development Code. Staff recommends a note on the face of the plan to ensure that lots backing up to NW Skyview Avenue are properly screened. OA
H. The design of streets, drives, and parking areas within the project should result in a minimum of area devoted to asphalt or other impervious surfaces consistent with the needs of the project and city code requirements.
The proposed site plan provides an efficient layout for the proposed uses and does not create unnecessary impervious surfaces. OA
I. The plan must identify trees to be removed and trees to be preserved during the development of the subject property with the goal of saving trees that are not required to be removed for the development of the property.
There is little to no existing vegetation on site as it is used primarily for agriculture currently. The existing trees within the regulated stream area are shown on the preliminary stream buffer plan and will be preserved with the Private Open Space. OA

## ATTACHMENTS

1. Conditions Report
2. Applicants Submittal
3. Public Engagement Materials

## PROFESSIONAL STAFF RECOMMENDATION

City staff recommends the following as stated in the conditions report: Approval with Conditions

Respectfully Submitted,


Olofu Agbaji
Planner

Condition(s) by City Planning and Development Department. Contact Olofu Agbaji at (816) 513-8815 / Olofu.Agbaji@kcmo.org with questions.

1. The developer shall secure approval of an MPD Final Plan from the City Plan Commission for the multi-family phase prior to building permit.
2. That the developer submit a Street Naming Plan to Development Management Division prior to issuance of Building Permit for any phase/ lot. Street naming plan shall be approved prior to Mylar approval of the first final plat.
3. That the MPD Final Plan for all private open space be approved by the City Plan Commission prior to Mylar approval of the first plat or issuance of issuance of building permit.
4. That the developer submit an application for an MPD Final Plan to the City Plan Commission for all private open space indicating plans for landscaping, grading, detailed internal circulation, signage, lighting and a photometric study showing zero foot candles at the property lines prior to ordinance request of the first final plat for this development.
Condition(s) by City Planning and Development Department. Contact Terry Thomas at (816) 513-2510 / Terry.A.Thomas@kcmo.org with questions.
5. The developer must submit covenants, conditions and restrictions to the Land Development Division for review by the Law Department for approval and enter into covenant agreements for the maintenance of any private open space tracts with stream buffer zones or stormwater detention area tracts, prior to recording the plat.
6. 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.
7. 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.
8. 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.
9. The developer shall submit construction plans in compliance with adopted standards for all improvements required by the traffic study approved by the Public Works Department, and shall secure permits for those improvements as required by the Land Development Division, prior to recording the plat.
10. 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.
11. 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.
12. The developer shall 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.
13. 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.

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 must dedicate additional right of way for NW Skyview Ave as required by the adopted [Major Street Plan and/or Chapter 88] so as to provide a minimum of 50 feet of right of way as measured from the centerline, along those areas being platted, or seek approval recommendations from the Transportation and Development Committee for any variances requested to the Major Street Plan prior to City Plan Commission approval.

Condition(s) by Fire Department. Contact Michael Schroeder at (816) 513-4604 / michael.schroeder@kcmo.org with questions.
15. 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)
16. - Required fire department access roads shall be a minimum unobstructed width of twenty (20) feet and 13 ft .6 in clearance height. Check with Streets \& Traffic (KCMO Public Works) or Missouri Department of Transportation (MODOT) that may have street planning regulations that supersede the Fire Code. (IFC-2018: § 503.2.1)

- A required fire department access roads shall be an all weather surface. (IFC-2012: § 503.2.3)
- 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)
- Required fire department access roads shall designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)

17.     - The turning radius for fire department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
18. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1)
19.     - The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC2018 § 507.1)

Condition(s) by Parks \& Recreation. Contact Richard Sanchez at (816) 513-7678 / Richard.Sanchez@kcmo.org with questions.
20. 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 2023 acquisition rate of $\$ 64,220.18$ per acre. This requirement shall be satisfied prior to recording the final plat or prior to Certificate of Occupancy.
21. 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
22. Shall the applicant decide to dedicate Private Open Space in order to meet Parkland Dedication requirements per section $88-408$, the applicant shall provide a detailed site plan for each tract showing the locations of all amenities, sidewalks, trails, etc.

Condition(s) by Water Services Department. Contact Heather Massey at (816) 513-2111 / heather.massey@kcmo.org with questions.
23. 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/2022/05/2022-Rules-and-Regulations-for-Water-Service-Lines-Final.pdf
24. Branch service lines one-and-one-half inches and larger in diameter for domestic water services or fire protection lines shall be connected to the main by cutting in a minimum 6 " branch service tee, installing three gate valves, and two solid sleeves on the main. Line valves on the main shall be the same nominal size as the main.
25. A full flow fire meter will be required when the fire protection service line serves more than one building, or combination service lines 6 inches and larger, or that have private fire hydrants connected to them.
26. No tap permits will be issued until the public water main is released for taps.

Condition(s) by Water Services Department. Contact Jerald Windsor at (816) 513-0413 / Jerald.Windsor@kcmo.org with questions.
27. 3. The developer shall submit an analysis by a registered Professional Engineer in Missouri to verify adequate capacity of the existing water supply mains for the new domestic and fire demands, and if necessary, prepare improvement plans to meet the anticipated demands.
28. 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.
(https://www.kcwater.us/wp-content/uploads/2022/05/2022-Rules-and-Regulations-for-Water-Main-Extensions-Final2.pdf).
29. Please make Fire Hydrant symbology better visible throughout the utility sheet.

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

30. The developer shall submit a Preliminary Stream Buffer plan prior to approval of the plan in accordance with the Section 88-415 requirements.
31. 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.
32. The developer must grant on City approved forms, a STREAM BUFFER Easement to the City, as required by Chapter 88 and Land Development Division, prior to issuance of any stream buffer permits.
33. The developer must show the limits of the 100-year floodplain 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.



## PRELIMINARY PLAT OF

SKYVIEW RESIDENTIAL










## Meeting Sign-In Sheet

## Project Name and Address

ENVISION (SKYVIEW RESIDENTIAL) 11145 NW SKYVIEW AVE

| Name | Address | Phone | Email |
| :---: | :---: | :---: | :---: |
| ELAINE LAUN | 5715 NW 110TH CT |  |  |
| JACK REDLIEN | 5708 NW 110TH CT |  |  |
| TINA AND BILL ABBOT | 5506 110TH ST |  |  |
| SHERRY HOY | 5700 NW 110TH CT |  |  |
| DANIEL CUMMINGS | 5519 NW 110TH CT |  |  |
| CHRISTINA MEDEIROS | 5712 NW 110TH CT |  |  |
| CHRIS HODGES | 11023 N MATTOX CT |  |  |
| DALTON MALCOM | 5213 NW 59TH TER |  |  |
| PAT MILLER ANGELA LAVILLE | 5901 NW 108TH ST |  | miller@diocesekcsj.org |
| TERRI NEWTON | 5709 NW 110TH CT |  |  |
| DAVID LOBSINGER | 11010 N MATTOX CT |  |  |
| ASHLEY BRYANT |  |  |  |
| JIM JONES | 5709 NW 110TH CT |  |  |



CITY PLANNING \& DEVELOPMENT

## Public Meeting Summary Form

Project Case \# CD-CPC-2023-00017

Meeting Date: 3/7/2023

Meeting Location: ZOOM

Meeting Time (include start and end time): 5:30-6:10

Additional Comments (optional):
Concern about stream discharge - developer will detain water as required by KCMO
Concern about trees being cleared

