

**Project Name** 

Docket # Request

Plat

**Stalev Shire** 

9.1

9.2

## **CITY PLAN COMISSION REPORT**

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

June 15, 2021

### APPROVAL PROCESS



#### NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

No registered neighborhood and homes association was found at this site; therefore, no notice was sent.

#### **REQUIRED PUBLIC ENGAGEMENT**

Public engagement as required by 88-505-12 applies to this request. The applicant hosted a public meeting on April 27, 2021. A summary of the meeting was attached to this report.

#### **EXISTING CONDITIONS**

The subject property is located on the east side of NE. Reinking Road, in between NE. 113<sup>th</sup> Terrace to the north and NE. 108<sup>th</sup> Street to the south. The site is surrounded by single-family residential use including Meadows of Auburndale subdivision to the north and east and Providence Pointe subdivision to the southeast. To the south of the site is single-family residential with large lots zoned R-80. To the west of the site is NE. Reinking Road, beyond which is currently undeveloped and owned by North Kansas City School District. The subject site has a single-family house and the proposed subdivision will retain this house. The site is generally flat with two detention ponds located to the northwest and southeast corner.

#### NEARBY DEVELOPMENTS

North: Single-family residential zoned R-7.5, Meadows of Auburndale subdivision East: Single-family residential zoned R-7.5, Meadows of

East: Single-family residential zoned R-7.5, Meadows of Auburndale subdivision

West: NE Reinking Rd, beyond which is undeveloped land zoned R-80

South: Single-family residential zoned R-80 and Providence Pointe subdivision zoned R-7.5

#### SUMMARY OF REQUEST

CD-CPC-2021-00064 - A request to approve a rezoning from R-80 (Residential 80) to R-7.5 (Residential 7.5) in order to create 47 single-family residential lots and 8 tracks on about 24.5 acres, generally located on the east side of NE. Reinking Road in between NE. 113th Terrace to the north and NE. 108th Street to the south.

CD-CPC-2021-00066 - A request to approve a development plan, which also acts as a preliminary plat to create 47 single-family residential lots and 8 tracks on about 24.5 acres, generally located on the east side of NE. Reinking Road in between NE.

#### Applicant

Rachelle Biondo Rouse Frets White Goss Gentile Rhodes 4510 Belleview, Kansas City, MO 64111

CD-CPC-2021-00064 Rezoning without Plan

CD-CPC-2021-00066

Development Plan / Preliminary

#### Owner

Justin Milburn Milburn Civil Engineering, LLC. 33135 W. 83<sup>rd</sup> St. De Soto, KS 66018

> Location 11201 NE Reinking Rd. Area About 24.5 acres Zoning Council R-80/R-7.5 District 1st County Clay School District North Kansas City

#### Surrounding Land Uses

North: Single-family residential zoned R-7.5 East: Single-family residential zoned R-7.5 West: NE Reinking Rd, beyond which is undeveloped land zoned R-80 South: Single-family residential zoned R-80

#### Land Use Plan

The Shoal Creek Valley Area Plan recommends residential low density land use. The request does conform to this recommendation.

#### **Major Street Plan**

No streets are designated in the Major Street Plan at this location. 113th Terrace to the north and NE. 108th Street to the south.

#### **KEY POINTS**

- Preliminary plat and development plan
- Rezoning from R-80 to R-7.5
- Single-family subdivision

#### **PROFESSIONAL STAFF RECOMMENDATION**

Docket #Recommendation14.1Approval without Conditions14.2Approval with Conditions

#### CONTROLLING CASE

There is no formerly approved plan on the site.

#### **RELATED RELEVANT CASES**

There is no related relevant cases on the site.

#### HISTORY

The subject property is located on the east side of NE. Reinking Road, in between NE. 113th Terrace to the north and NE. 108th Street to the south. The site is surrounded by single-family residential use including Meadows of Auburndale subdivision to the north and east and Providence Pointe subdivision to the southeast. To the south of the site is single-family residential with large lots zoned R-80. To the west of the site is NE. Reinking Road, beyond which is currently undeveloped and owned by North Kansas City School District. The subject site has a single-family house and the proposed subdivision will retain this house. The site is generally flat with two detention ponds located to the northwest and southeast corner.

#### PLAN REVIEW

#### Use-Specific (88-300) and Development Standards (88-400)

Standards	Applicability	Meets	More Information
Boulevard and Parkway Standards (88-323)	No	N/A	
Parkland Dedication (88-408)	Yes	Subject to conditions	
Parking and Loading Standards (88-420)	Yes	Yes	
Landscape and Screening Standards (88-425)	Yes	Subject to conditions	
Outdoor Lighting Standards (88-430)	No	N/A	
Sign Standards (88-445)	N/A	N/A	A sign package was not submitted, but the signs are expected to comply with 88-445 and
Pedestrian Standards (88-450)	Yes	Yes	be permitted separately.

#### ANALYSIS

In order to create single-family residential use, the applicant proposes a rezoning without plan to rezone the

property from R-80 to R-7.5. Along with the rezoning application, the applicant proposes a development plan which also acts as a preliminary plat. The plan is to create forty-seven (47) lots and eight (8) Tracts in the proposed Staley Shire subdivision. Lot 37 has two existing structures including an existing house on site. The subdivision contains two access from NE Reinking Road and is connect to the north subdivision by N. Ewing Avenue and is also connected to the south subdivision. The proposed layout provides an east-west street, which connects NE. Reinking Road to NE. 112<sup>th</sup> Terrace and eventually to N. Eastern Avenue. The gross density is 1.92 unit per acre.

#### **REZONING REVIEW**

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

The proposed rezoning is from R-80 to R-7.5. Both zoning districts are identified as residential low density; thus is conforms to the area plan recommendation.

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

Adjacent properties including single-family residential and undeveloped land. The proposed use is in consistency with the surrounding use.

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

The proposed plan is not changing the character of the area. Adjacent properties including single-family residential and undeveloped land. The proposed use is in consistency with the surrounding use.

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

The applicant proposes public facilities improvement that are subject to review. The proposed improvements generally complies with the requirement if satisfies listed conditions in the attached Correction and Condition Report.

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

The proposed single-family lots contains lots smaller than 80,000 square feet, which won't be able to be created under the existing zoning district.

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

The site hasn't been developed in the past except an existing house and an accessory structure on site.

#### 88-515-08-G. the extent to which approving the rezoning will detrimentally affect nearby properties

The plan is not expected to have a detrimental effect on nearby properties since there is no proposed change in use.

# **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 will not be any gain for denial of the application since there is no proposed changes in use or any construction to the site.

#### **PLAT REVIEW**

The proposed preliminary plat generally complies with the code requirements. However, no trails were provided in the revised concept plan. In order to provide a safe and convenient pedestrian connection, staff recommends sidewalk to be provided on both side of proposed streets and shall be constructed per the city standards.

The plan also indicates four detention ponds. Details of the ponds shall be provided prior to request for ordinance.

#### **REQUESTED WAIVERS AND DEVIATIONS**

No waivers or deviations have been requested by the applicant.

#### **PROFESSIONAL STAFF RECOMMENDATION**

Staff recommends APPROVAL WITHOUT CONDITIONS to the rezoning application and APPROVAL WITH CONDITIONS to the development plan / preliminary plat application with conditions stated in the Correction & Condition Report.

Respectfully submitted,

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Xue Wood, AICP Staff Planner

#### Plan Conditions, Corrections, & Recommendations Report



Recommended to CPC Recommended by Development Review Committee

Report Date: June 09, 2021

Case Number: CD-CPC-2021-00066

Project: Staley Shire

**Plan Conditions** 

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

- 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 (4/21/2021)
- 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. (4/21/2021)
- 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. (4/21/2021)
- 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. (4/21/2021)
- 5. The developer must dedicate additional right of way [and provide easements] for \_\_\_\_\_\_\_ as required by the adopted [Major Street Plan and/or Chapter 88] so as to provide a minimum of \_\_\_\_\_ 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. (4/21/2021)
- 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. (4/21/2021)
- 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. (4/21/2021)
- 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. (4/21/2021)
- 9. 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. (4/21/2021)
- 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. (4/21/2021)
- 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. (4/21/2021)
- 12. 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. (4/21/2021)

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

13. That the east half of NE Reinking Road shall be improved to City standards as required by Chapter 88, to current standards, including curbs and gutters, sidewalks, street lights, relocating any utilities as may be necessary and adjusting vertical grades for the road, etc., and obtaining required permit from Land Development Division for said improvement prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first. (4/21/2021)

Condition(s) by City Planning and Development Department. Contact Xue Wood at 816-513-8823 / Xue.Wood@kcmo.org with questions.

- 14. 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. (4/19/2021)
- 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. (4/19/2021)
- 16. All proposed signage shall comply with 88-445 and are subject to permits. (4/21/2021)
- 17. Sidewalks shall be provided on both sides of proposed streets in accordance with the department of public works' Standards, Specifications, and Design Criteria. (6/03/2021)

Condition(s) by Fire Department. Contact Michael Schroeder at 816-513-4611 / michael.schroeder@kcmo.org with questions.

- 18. 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) (4/19/2021)
- 19. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all weather driving capabilities. Weight of 85,000 lbs per (IFC-2018 503.2.3) (4/19/2021)
- 20. The turning radius for fire department access roads is 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4) (4/19/2021)
- 21. 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) (4/19/2021)
- 22. Fire hydrant distribution shall follow IFC-2018 Table C102.1 (4/19/2021)

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

- 23. Proposed trail serving as private open space for parkland shall be concrete in material. (4/21/2021)
- 24. 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 (4/21/2021)

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

25. The developer shall ensure that water and fire service lines should meet current Water Services Department Rules and Regulations.

https://www.kcwater.us/wp-content/uploads/2019/04/2018-Rules-and-Regulations-for-Water-Service-Lines.pdf (4/16/2021)

Condition(s) by Water Services Department. Contact Jerald Windsor at 816-513-2904 / Jerald. Windsor@kcmo.org with questions.

26. 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/2019/04/2018-Rules-and-Regulations-for-Water-Main-Extensions.pdf) (4/21/2021)



## CENTRANCINCE STDEVELOPMENT

## Public Meching Summery Form

Project Case # CD-CPC-2021-00066

Meeting Date: 4/27/21

Meeting Location: Via Conference Call (Zoom)

Meeting Time (include start and end time): 6:00 p.m. - 6:15 p.m.

Additional Comments (optional):

## **Meeting Sign-In Sheet**

## Project Name and Address

Staley Shire

NE Reinking Road/NE 113th Terrace/NE 108th Street

Name	Address	Phone	Email
Blythe Minnick			
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