

PLANNING COMMISSION MEETING

**Thursday, March 4, 2021
6:00 p.m.**

Due to the ongoing pandemic, this meeting will be held virtually, with Planning Commissioners and City staff joining the meeting on an online platform.

To join the Thursday, March 4 Planning Commission Meeting, please use this link: <https://us02web.zoom.us/j/81884635015>

Or join by telephone by calling (312) 626-6799 and using Webinar ID: 818 8463 5015

The public is invited to participate in this meeting in the following ways:

- Written public comments may be submitted prior to the meeting by emailing scopeland@nkc.org; write "Planning Commission Public Comment" in the subject line. Please submit written comments no later than 5:00pm on March 4, 2021. Written comments received by the deadline will be read by staff during the meeting.
- Online: the public may join the Zoom webinar and may make comments by using the Raise Hand feature of Zoom.
- Phone: Dial-in by phone using the information provided above. Callers may use *9 to indicate that they would like to speak during the comments.

AGENDA

1. Call to Order
2. Approval of Agenda of March 4, 2021
3. Approval of Minutes of January 7, 2021
4. Final Plat – 23rd and Swift Apartments – J&J Survey, LLC PC2021-03
5. Comments from Public
6. Comments from Staff

7. Comments from Commissioners
8. Adjournment

PLANNING COMMISSION
MINUTES

Meeting Date
January 7, 2021

Members Present: Bryant DeLong
Jim Dunn
Byron Spencer
Don Stielow
Dave Wood
Timothy Roberts
Johnathan Barnes

Members Absent: None

Also Present: Sara Copeland, Director of Community Development
Kim Nakahodo, Assistant City Administrator
Mallory Brown, Permit Technician

1. CALL TO ORDER

Commissioner Spencer opened the meeting at 6:00 p.m. Ms. Copeland reviewed the procedures for the virtual meeting and Ms. Brown called the roll.

2. APPROVAL OF AGENDA

Commissioner Dunn moved to approve the Planning Commission Agenda for the meeting on January 7, 2021 and was seconded by Mayor Stielow. All said Aye. Motion passed unanimously.

3. APPROVAL OF DECEMBER 3, 2020 PLANNING COMMISSION MINUTES

Commissioner Wood moved to approve the December 3, 2020 Planning Commission minutes and was seconded by Mayor Stielow. All said aye. Motion passed unanimously.

4. CONSIDERATION OF EXCEPTION TO FENCE STANDARDS – UNITED RENTALS – PC2021-01

Ms. Copeland discussed procedure for consideration of an exception to the fence standards.

Cindy Williams, Amarak LLC, explained the need for the fence at this location and described the proposed security system.

Ms. Copeland presented the staff report and recommendation of denial but noted that the application met all conditions for approval.

Mayor Stielow moved to approve and was seconded by Commissioner Roberts. All said aye. Motion passed unanimously.

5. CONSIDERATION OF ALTERNATIVE PARKING PLAN – 1207 SWIFT – PC2021-02

Ms. Copeland discussed procedure for consideration of an alternative parking plan.

Sam Scarfino, the property owner, explained the proposed site plan.

Ms. Copeland presented the staff report and recommendation of approval with conditions.

Mayor Stielow moved approve the alternative parking plan and was seconded by Commissioner Wood. All said aye. Motion passed unanimously.

6. COMMENTS FROM PUBLIC

None.

7. COMMENTS FROM STAFF

Ms. Copeland told Commissioners there is not likely to be a February meeting.

8. COMMENTS FROM COMMISSIONERS

Commissioner Dunn raised the possibility of changing the zoning ordinance regarding electric fences.

Commissioner Wood thanked Commissioner Spencer for leading the meeting.

9. ADJORNMENT

As there was no further business, Mayor Stielow moved to adjourn the meeting and was seconded by Commissioner Wood. The motion carried unanimously. The meeting was adjourned at 6:28 p.m.

Byron Spencer, Chair

Jim Dunn, Secretary

PLANNING COMMISSION MEMORANDUM



TO: Planning Commission

FROM: Sara Copeland, AICP
Community Development Director

DATE: March 4, 2021

RE: Final Plat Approval, 23rd And Swift Apartments,
PC2021-03

Case Overview

APPLICANT John Young, J&J Survey Star Development Corp.	PROPERTY OWNER Star Acquisitions & Development LLC	
PROPERTY ADDRESS Northwest corner of 23 rd Ave & Swift St.	SITE SIZE / IMPROVEMENTS 5.98 Ac Undeveloped	
EXISTING ZONING R-4, Mixed Density Neighborhood	EXISTING LAND USE Undeveloped	SURROUNDING ZONING & LAND USE North: PUD, Residential East: R-4, Residential South: R-1B, R-4, Residential West: C-3, Commercial
SUMMARY OF REQUEST Approval of Final Plat for 23 rd and Swift Apartments		

Vicinity Map



Background

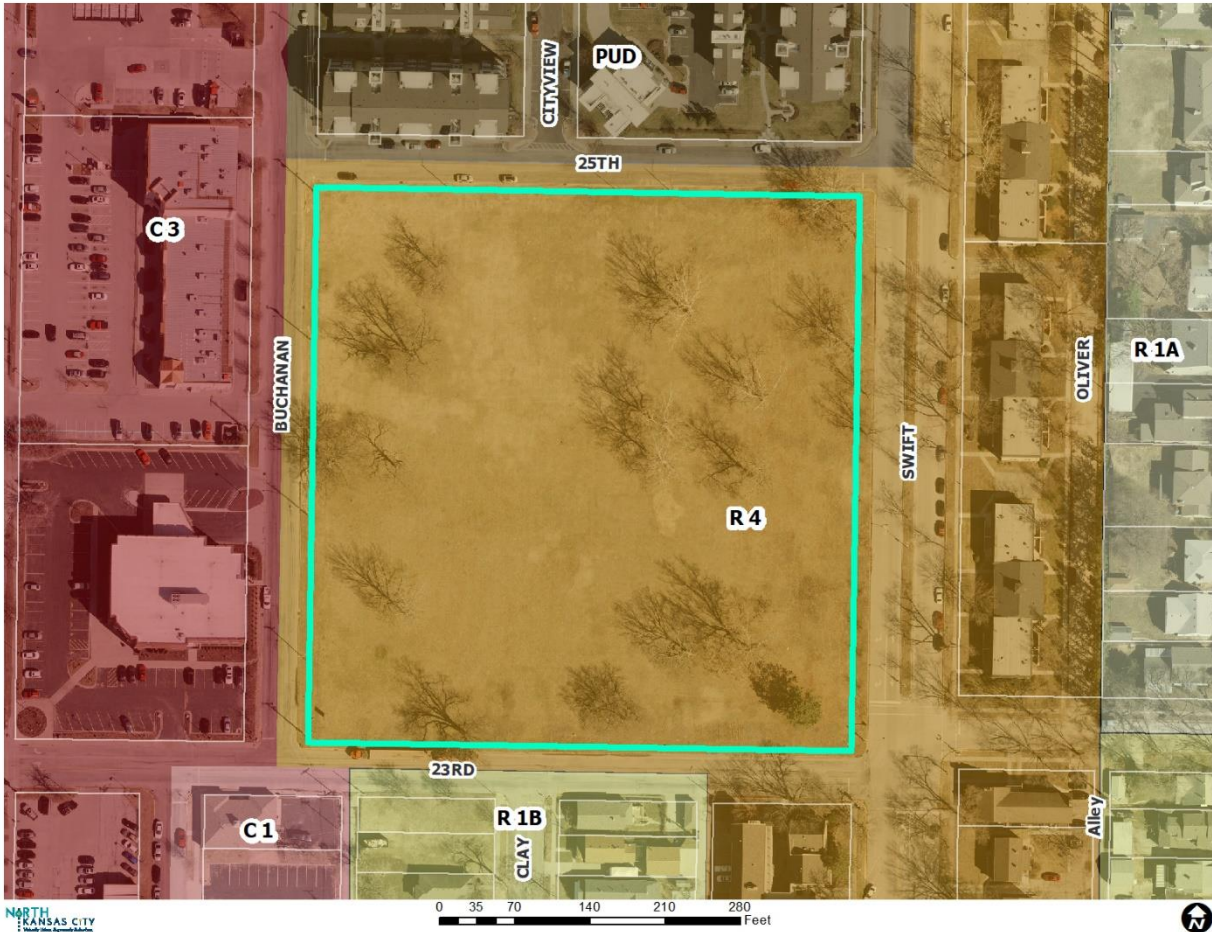
The applicant of record is J&J Survey, the surveying company working on behalf of the developer, Star Development. The City of North Kansas City entered into a development agreement with Star Development for development of this parcel on August 4, 2020.

The Planning Commission held a public hearing and approved the Preliminary Plat for 23rd & Swift Apartments on December 3, 2020.

Platting Process

After the Planning Commission approves a Preliminary Plat, subsequent Final Plats are reviewed by the Planning Commission for conformance with the Preliminary Plat and a recommendation is made to the City Council for approval, approval with conditions or disapproval of the Final Plat. The Final Plat dedicates any necessary right-of-way and easements.

Zoning Map



Application Analysis for Final Plat

In analyzing the merits of any Plat Application, section 16.06.100 of the Municipal Code identifies seven criteria for review when such an application is to be considered.

Criteria	Staff Analysis
<i>a. Each resulting lot results in a buildable lot capable of meeting all existing zoning ordinance requirements.</i>	The resulting lot is a buildable lot capable of meeting all existing zoning ordinance requirements.
<i>b. No plat shall result in adjacent properties becoming un-buildable.</i>	The plat will not result in any adjacent properties becoming un-buildable.

Criteria	Staff Analysis
<p><i>c. Each resulting lot or tract will conform to the goals, strategies, and design concept in the master plan, or any official area plan adopted by the city under the master plan, regarding the physical layout of blocks, lots, open spaces, or utilities, and regarding the design of the public right-of-way and other public spaces.</i></p>	<p>The final plat conforms to the goals of the 2016 Master Plan.</p> <p>The property is located in the Traditional Neighborhood character area. The Traditional Neighborhood area is characterized by a mix of housing types.</p>
<p><i>d. The proposed plat places no burdens or impacts on existing public facilities, without plans for addressing such impacts which are acceptable by the city.</i></p>	<p>The final plat proposes the dedication of additional right-of-way for 23rd Avenue, Buchanan Street, and 25th Avenue. The additional right-of-way allows for angled parking along these three streets, similar to the pattern established further north in the Northgate redevelopment. Street layouts have been reviewed by all four city departments.</p> <p>Staff and the applicant have resolved the previous issues regarding stormwater design and determined that no new stormwater easements are necessary.</p> <p>The plat dedicates sidewalk easements along both 23rd and 25th Avenues.</p>
<p><i>e. The proposed plat does not create any new zoning non-conformities.</i></p>	<p>The proposed plat will not create any zoning non-conformities.</p>
<p><i>f. Whether proposed application conforms to the Design Standards in Chapter 16.08, meets zoning and lot requirements, and does not create an irregularly shaped or non-rectangular lot pattern.</i></p>	<p>The proposed lot meets the Design Standards in Chapter 16.08 and meets minimum lot requirements.</p>
<p><i>g. The proposed plat will result in all lots being in compliance with all sections of the Municipal Code.</i></p>	<p>The proposed lot is in compliance with all sections of the Municipal Code.</p>

Recommendation and Conditions for Final Plat

Staff recommends approval of the Final Plat of 23rd and Swift Apartments.

Commission Action for Final Plat

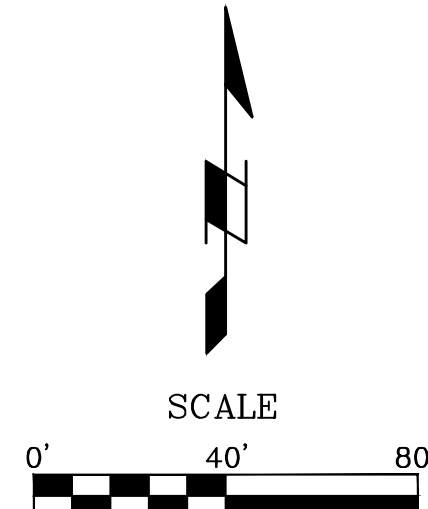
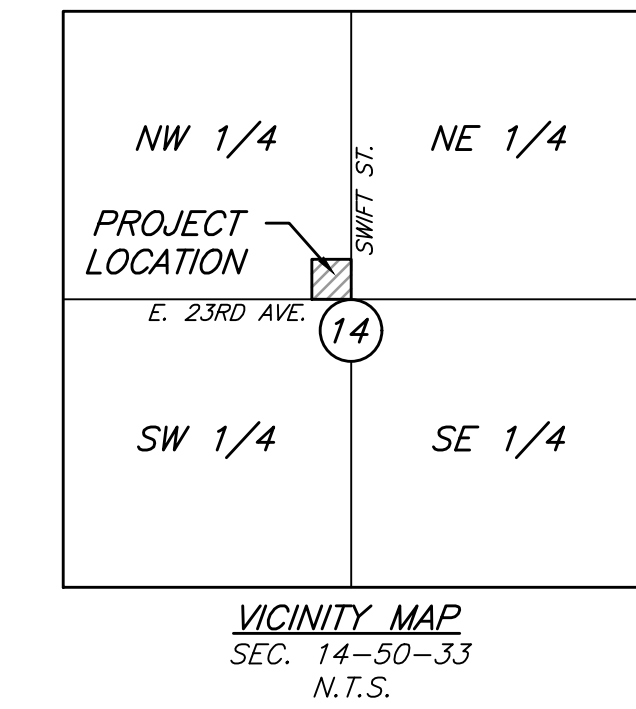
Final Plats require a recommendation from the Planning Commission to the City Council.

In this instance, there are three options:

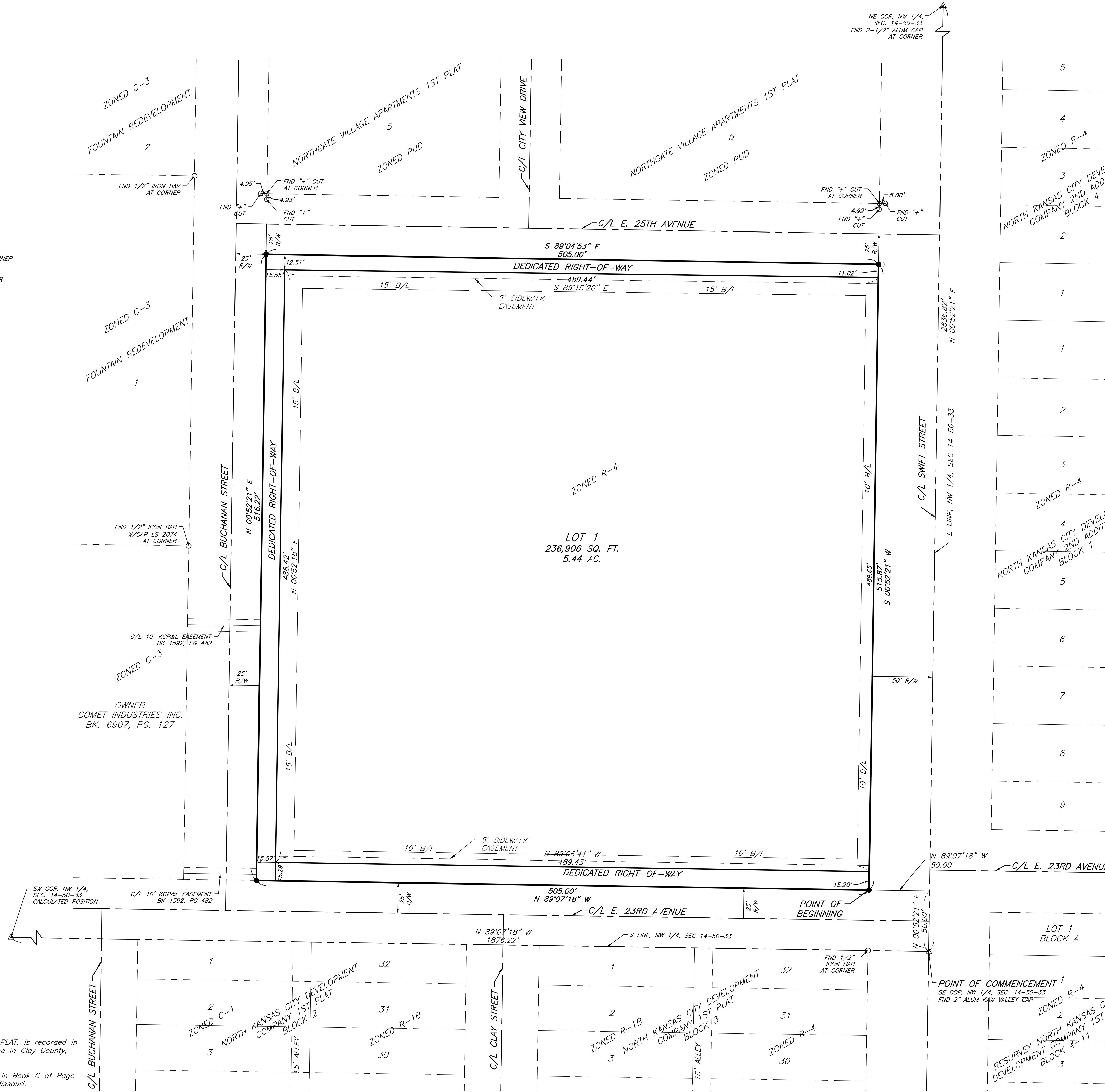
- Recommend approval
- Recommend approval with certain conditions
- Recommend disapproval of the Final Plat

Attachments: 23rd And Swift Apartments Final Plat

FINAL PLAT
23RD AND SWIFT APARTMENTS
 NW 1/4, SECTION 14, TOWNSHIP 50 NORTH, RANGE 33 WEST
 NORTH KANSAS CITY, CLAY COUNTY, MISSOURI



- LEGEND**
- △ - SECTION CORNER AS NOTED
 - - MONUMENT FOUND AS NOTED
 - - SET MONUMENT AS NOTED
 - - FOUND 1/2" IRON BAR AT CORNER UNLESS OTHERWISE NOTED
 - - SET 1/2" IRON BAR AT CORNER W/ J & J CAP
 - (M) - MEASURED DISTANCE
 - (R) - RECORD DISTANCE
 - (D) - DEED DISTANCE



PROPERTY DESCRIPTION:

A tract of land in the Northwest Quarter of Section 14, Township 50 North, Range 33 West, in North Kansas City, Clay County, Missouri, being more particularly described as follows:
 Commencing at the Southeast corner of said Northwest Quarter; thence North 00°52'21" East, along the East line of said Northwest Quarter, 50.00 feet; thence North 89°07'39" West, 50.00 feet to a point at the intersection of West Right-of-Way line of Swift Street and the East Right-of-Way line of E. 23rd Avenue, as now established, said point also being the Point of Beginning; thence North 89°07'18" West, along said North Right-of-Way line of E. 23rd Avenue, 505.00 feet to the intersection of the North Right-of-Way line of E. 23rd Avenue and the East Right-of-Way line of Buchanan Street, as now established; thence North 00°52'21" East, along said East Right-of-Way line of Buchanan Street, 516.22 feet to the intersection of the East Right-of-Way line of Buchanan Street and the South Right-of-Way line of E. 25th Avenue, as now established; thence South 89°04'53" East, along said South Right-of-Way line of E. 25th Avenue, 505.00 feet to the intersection of the South Right-of-Way line of E. 25th Avenue and the West Right-of-Way line of Swift Street, as now established; thence South 00°52'21" West, along said West Right-of-Way line of Swift Street, 515.87 feet to the Point of Beginning. Contains 260,603 square feet or 5.98 acres more or less.

DEDICATION:

The undersigned owner(s) of the property described herein have the same to be subdivided in the manner shown on this plat and said property shall hereafter be known as:
"23RD AND SWIFT APARTMENTS"
 An easement or license is also hereby granted to the City of North Kansas City, Missouri to locate, construct and maintain, and to authorize the location, construction, maintenance or use of conduits, for all and any purpose, water, gas and sewer mains, poles, wires, anchors and appurtenances thereto, or any or all of them upon, under and along the strips of land outlined on this plat and designated "utility easement" or "U.E."

An easement or license is also hereby granted to the City of North Kansas City, Missouri to locate, construct and maintain, and to authorize the location, construction, maintenance, and use of surface drainage ways and installations, and underground drainage conduits and appurtenances for drainage purposes on, under and along the strips of land outlined on this plat designated "drainage easement." Streets shown on this plat and not heretofore dedicated to public use are hereby so dedicated.
 Building lines or setback lines are hereby established as shown on this plat and no building or portion thereof shall be built or otherwise located between this line and the lot or street line.

SIDEWALK EASEMENT

A permanent sidewalk easement is hereby granted to the City of North Kansas City, Missouri, for the purposes of locating, operating, inspecting, maintaining, altering, repairing, replacing, and using a perpetual right of way for public access and walkway, including all appurtenances thereto. The Grantor agrees that it will not construct, plant, or cause to be placed within the limits of this easement any obstacle of a permanent nature.

IN WITNESS THEREOF:

Star Acquisitions & Development, LLC, has caused these presents to be signed this ____ day of _____, 2021.

Star Acquisitions & Development, LLC
 By: _____ Managing Member

NOTARY CERTIFICATION:

State of Missouri)
 County of Cass)
 On this ____ day of _____, 2021, before me, the undersigned Notary Public, personally appeared _____, to me known to be the person described herein and who executed the foregoing instrument and being duly sworn by me did acknowledge that _____ is the Managing Member of Star Acquisitions & Development, LLC, and that _____ executed the foregoing by authority of the Board of Directors and is the free act and deed of said corporation.

IN WITNESS WHEREOF:

I have hereunto set my hand and affixed my Notary Seal in my office the day and year last written above.
 My commission expires: _____

DATE _____ NOTARY PUBLIC _____

APPROVALS

Approved by the planning commission of the City of North Kansas City this ____ day of _____, 20__.

Chairman _____

Approved by the city council of the City of North Kansas City this ____ day of _____, 20__.

Ordinance No: _____

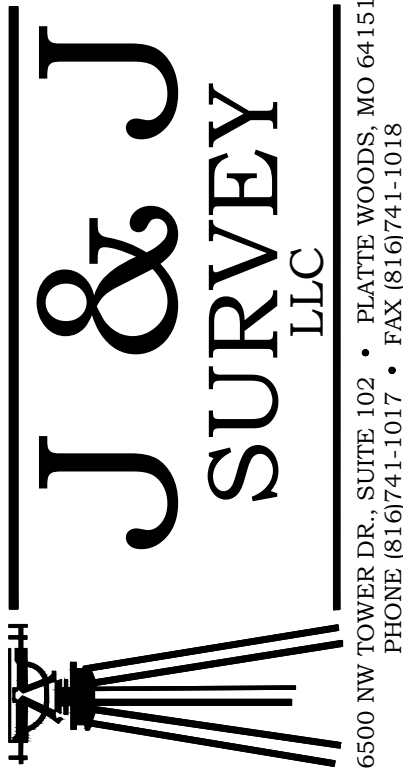
Mayor _____

Clerk _____

CERTIFICATION:
 I hereby certify that this drawing is based on an actual field survey made by me or under my direct supervision on the 1st day of June, 2020 and that said survey meets or exceeds the current Missouri Standards for Property Boundary Surveys, as established by the Missouri Board for Architects, Professional Engineers and Land Surveyors, and the Missouri Department of Natural Resources, Division of Geology and Land Survey.

John E. Young PLS-2006076647
 2-24-21
 Date

Location: S:\20178- 2300 SWIFT ST\DRAWINGS\FINAL PLAT REV 2-16-21.dwg



- GENERAL SURVEY NOTES:**
- The plat of NORTHGATE VILLAGE APARTMENTS FIRST PLAT, is recorded in Cabinet F at Sleeve 94 in the Recorder of Deeds Office in Clay County, Missouri.
 - The plat of FOUNTAIN REDEVELOPMENT, is recorded in Book G at Page 180 in the Recorder of Deeds Office in Clay County, Missouri.
 - Title Report # 225539, dated June 19, 2020 at 8:00 AM provided by Thomson-Affinity Title, LLC was provided by client.
 - Basis of Bearing was established by the Missouri State Plane Coordinate System from GPS Observation.
 - The subject property is located in Zone X, areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood, as shown on Flood Insurance Rate Map (FIRM) 29047C0214E, effective August 3, 2015.
 - The subject property is currently Zoned R-4 (Mixed-Density Neighborhood).

INITIAL SUBMITAL	11-02-20	2-16-21	2-16-21	2-24-21
REVISOR COMMENTS				
REVISOR COMMENTS				
REVISOR COMMENTS				