



Board of Aldermen Request for Action

MEETING DATE: 4/3/2023

DEPARTMENT: Development

AGENDA ITEM: Resolution 1210, Final Plat Herzog Foundation Second Plat

REQUESTED BOARD ACTION:

A motion to approve Resolution 1210, approving the final plat for Herzog Foundation 2nd Plat.

SUMMARY:

The final plat would create one new lot from the current Catholic Church property at 18601 North 169 Highway.

This land was submitted for a final plat at the December 13, 2022 Planning and Zoning Commission meeting. The plat encompasses the Herzog Educational Foundation's Conceptual Plan ground. Following a public hearing, the Planning Commission moved to approve the application for a Single-Phase Final Plat to create this new lot. This Final Plat is for the Educational Foundation's Conceptual plan but is now renamed the Herzog Foundation 2nd Plat.

PREVIOUS ACTION:

Ordinance 3170-23 was approved on January 17, 2023, changing the zoning to R-3P.

POLICY ISSUE:

The plat complies with the Comprehensive Plan.

FINANCIAL CONSIDERATIONS:

None

ATTACHMENTS:

- ☐ Ordinance
- ☒ Resolution
- ☒ Staff Report

- ☐ Contract
- ☒ Plans
- ☐ Minutes

RESOLUTION 1210

A RESOLUTION APPROVING A FINAL PLAT FOR HERZOG FOUNDATION 2ND PLAT SUBDIVISION

WHEREAS, the applicant submitted a conceptual plan rezoning and final plat application for approval to be heard by the Planning Commission on October 6, 2022; and

WHEREAS, the items were advertised in the Courier Tribune newspaper on November 24, 2022 and notices were sent to adjoining landowners on November 28; and

WHEREAS, the Planning Commission held a public hearing and then recommended approval of the proposed Final Plat with the condition that all infrastructure plans and construction required by the subdivision code would be handled within the new Site Plan Review process when submitted; and

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF
THE CITY OF SMITHVILLE, MISSOURI, AS FOLLOWS:**

**THAT THE FINAL PLAT OF HERZOG FOUNDATION 2ND PLAT
SUBDIVISION IS HEREBY APPROVED.**

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 3rd day of April, 2023.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk



STAFF REPORT
December 9, 2022
Platting of Parcel Id # 05-301-00-01-005.00

Application for a Plat Approval – Herzog Educational Center - 1 lot

Code Sections:

400.560.C Zoning District Classification Amendments

Property Information:

Address: NE corner of 18601 N 169 Hwy
Owner: Diocese of Kansas City-St. Joseph
Current Zoning: R-1B
Proposed Zoning: Part of R1B to R-3

Public Notice Dates:

1st Publication in Newspaper: November 24, 2022
Letters to Property Owners w/in 185': November 28, 2022

GENERAL DESCRIPTION:

The property is currently a 26.11-acre parcel owned by the Diocese of Kansas City-St. Joseph and is the location of the Good Shepherd Catholic Church. The application is to divide the northeast 8 acres from the 26.11-acre tract and create a subdivision of 1 lot, to be titled the Herzog Educational Center subdivision. The subdivision will be for a new lot to be zoned R-3 in order to construct a large educational facility and dormitory complex to support the foundation offices to the north.

GUIDELINES FOR REVIEW – SINGLE PHASE SUBDIVISION FINAL PLATS *See 425.285.A.4*

The Planning Commission shall consider the following criteria in making a recommendation on the plat:

- a. The plat conforms to these regulations and the applicable provisions of the Zoning Ordinance and other land use regulations. ***Yes, the layout complies with zoning and subdivision requirements.***
- b. The plat represents an overall development pattern that is consistent with the goals and policies of the Comprehensive Plan. ***The Development pattern is similar to the existing zoning on the property to the east and north, and the Comprehensive Plan pattern is for the property to remain Civic/Institutional.***
- c. The development shall be laid out in such a way as to result in:
- (1) Good natural surface drainage to a storm sewer or a natural watercourse. ***The property is bisected by a natural drainage area. To the extent that the proposed subdivision is for a single, R-3 lot, the storm drainage is subject to a storm study and protective measures in accordance with and during the Site Plan Review process.***
 - (2) A minimum amount of grading on both cut or fill and preservation of good trees and other desirable natural growth. ***Again, a single R-3 lot is subject to the Site Plan Review process which contains the same protections as this subdivision provision, so the ultimate design must meet this standard.***
 - (3) A good grade relationship with the abutting streets, preferably somewhat above the street. ***In most of the lot, the grade meets this standard. The exception is the natural drainage course across the property.***
 - (4) Adequate lot width for the type or size of dwellings contemplated, including adequate side yards for light, air, access and privacy. ***Yes.***
 - (5) Adequate lot depth for outdoor living space. ***Yes.***
 - (6) Generally regular lot shapes, avoiding acute angles. ***Yes.***
 - (7) Adequate building lots that avoid excessive grading, footings or foundation walls. ***Yes.***
- d. The plat contains lot and land subdivision layout that is consistent with good land planning and site engineering design principles. ***Yes.***
- e. The location, spacing and design of proposed streets, curb cuts and intersections are consistent with good traffic engineering design principles. ***There are no new roadways, but the Site Plan Review process will require a traffic study concerning access, and there are adjacent street and sidewalk improvements by the applicant included in assumptions made for this staff report.***
- f. The plat is served or will be served at the time of development with all necessary public utilities and facilities, including, but not limited to, water, sewer, gas, electric and telephone service, schools, parks, recreation and open space and libraries. ***Yes, the development lot includes gravity sewers already***

in place, and water, power and all other utilities are on the existing parcel.

g. The plat shall comply with the stormwater regulations of the City and all applicable storm drainage and floodplain regulations to ensure the public health and safety of future residents of the subdivision and upstream and downstream properties and residents. The Commission shall expressly find that the amount of off-site stormwater runoff after development will be no greater than the amount of off-site stormwater runoff before development. ***The proposed development will meet this standard at the time of Site Plan Review, and the minimum standards of this provision are met during that process.***

h. Each lot in the plat of a residential development has adequate and safe access to/from a local street. ***N/A.***

i. The plat is located in an area of the City that is appropriate for current development activity; it will not contribute to sprawl nor to the need for inefficient extensions and expansions of public facilities, utilities and services. ***Yes.***

j. If located in an area proposed for annexation to the City, the area has been annexed prior to, or will be annexed simultaneously with plat approval. ***n/a***

k. The applicant agrees to dedicate land, right-of-way and easements, as may be determined to be needed, to effectuate the purposes of these regulations and the standards and requirements incorporated herein. ***Yes, the plat includes the required dedications.***

l. All applicable submission requirements have been satisfied in a timely manner. ***Yes.***

m. The applicant agrees to provide additional improvements, which may include any necessary upgrades to adjacent or nearby existing roads and other facilities to current standards and shall include dedication of adequate rights-of-way to meet the needs of the City's transportation plans. ***Staff's recommendation is based upon the new requirements of the Site Plan Review process that specifically requires upgrades to all facilities subjected to the process.***

STAFF RECOMMENDATION:

Staff recommends APPROVAL of the proposed Final Plat based upon adherence the understanding that the Site Plan Review process will require all subdivision improvements.

Respectfully Submitted,

Director of Development