



Report to Planning & Zoning Commission

Clay County, Missouri

General Information

Site Location: Approximately 13400 N Agnes Street
Section 7 | Township 52 | Range 32

Site Size: 30.20 ± acres

Existing Landuse & Zoning: Residential Low Density District (R-1A)

Zoning/Platting History:

RZ – Res. #2002-414 (AG to R-1A), 09/30/02; Prelim. Plat – Res. #2002-570, 12/23/02; 1st Phase Final Plat – Res. #2003-365, recorded 03/09/04; 2nd Phase Final Plat – Res. #2006-186, recorded 09/19/06; 3rd Phase Prelim. Plat – Res. #2011-235, 07/22/11; 3rd Phase Final Plat – Res. #2011-341, 09/26/11; 3rd Phase Final Plat 1-Year Extension-Res. #2012-405, 11/26/12.

Surrounding Landuse & Zoning:

North - AG zoned land, Happy Valley (AG)

East - AG zoned land, Hofbeck Ranch (AG), The Brooks (R-1)

South - AG zoned land, Beaver Creek Estates (R-1), Holmar (R-1A), Rosenbaugh Pioneer Park (R-1A), City of Kansas City [approx. 1½ miles]

West - AG zoned land, Town & Country Estates (R-1), Emerald Acres (R-1), City of Smithville [approx. ½ mile]

Current Conditions:



Courtesy of Clay County Assessor GIS/Mapping



Courtesy Microsoft® Bing™



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Clay County, Missouri

Assessment

Lance and Janet Houston are requesting **Final Plat** approval for Houston Hills (formerly Brookview Estates 3rd Plat) 30.20± acres located at approximately 13400 N Agnes Street, just north of Brookview Estates 2nd Plat.

The Houston's would like to split the property in two (2) lots, as such that entails completion of the cul-de-sac, and extension of infrastructure.

Character of the General Neighborhood

The property is located approximately ½ mile east of Smithville and approximately 1 ½ miles north of Kansas City. On the west is the Town & Country Estates (R-1) subdivision, and to the north is the Happy Valley (AG) subdivision. Wilkerson Creek traverses along the eastern portion of the subdivision flowing from the south to the northwest [See Attachment B].

Code Considerations

The review procedures and submittal content for a Final Plat must be in substantial compliance with the approved preliminary plat in accordance with the requirements under **Section 151-3.6 (D)** of the Clay County 2011 Land Development Code ("LDC"). Based on all the materials and evidence presented, the subject request *appears to substantially comply with the LDC and preliminary plat*.

The application was properly noticed, per regulations and adjacent property owners were notified within the mandated 1,000 foot distance by means of a letter dated May 15, 2015.

Outside Agency Review

The Clay County Highway Department has noted the following:

"NE 174th Street is chip and seal surface. Lot 1A driveway issued 5/13/2011 along with replat fee. Other drives will be issued per *Technical Specifications and Design Criteria Manual*. Lot 2A driveway will be issued at just north of south property line on Salem Road".

The Clay County Health Department has given preliminary and final approval for the suitability of septic systems. Public Water Supply District #9 is able to supply water to both of the proposed lots. The property lies within the Smithville Area Fire Protection District, and will be required to meet the districts fire hydrant and water supply requirements for residential subdivisions. Platte-Clay Electric ("PCEC") noted in an email dated May 21, 2015 that they have facilities to provide service for the property.

Findings

As Wilkerson Creek is an active stream channel, a 75-foot stream setback from the centerline of the channel is required per LDC Section 151-11.2 (C). The first 50 feet must be designated as "Zone 1" and the remaining 25 feet noted as "Zone 2" on the plat, and a note should be added stating: *"There shall be no clearing, grading, construction or disturbance of vegetation in the stream setback easement except as permitted by Clay County."* Any activity taking place within the Stream Setback zones should have prior approval from the Planning & Zoning Department.

Any building permits issued for proposed Lot 1 will require a Certificate of Elevation due to the existence of designated FEMA SFHA (Special Flood Hazard Area) on the property.

The property owner is extending N Agnes Street and upgrading the current temporary turnaround into a 60' radius cul-de-sac in conformance with County standards (LDC Sections 151-8 & 9), thereby allowing the 2 proposed lots.



Report to Planning & Zoning Commission

Clay County, Missouri

The subject request is currently going through stormwater engineering review process by the County's consulting engineer, Shafer, Kline, & Warren ("SKW"). In a letter dated May 19, 2015, SKW stated after an initial review they have "no issue with proceeding toward final approval. This does not mean that the applicants can obtain a building permit, but it does mean that our subsequent comments can be addressed such that approval is possible from the standpoint of our engineering review".

Recommendations

Staff recommends the **Final Plat** of **Houston Hills** be **approved**, with the following conditions as shown on Exhibit A:

Exhibit A

1. Building plans shall be submitted and approved by the Smithville Area Fire Protection district before a building permit will be issued, and then prior to a Certificate of Occupancy being issued a letter of compliance is required from the fire district.
2. Implement the County's Consultant Engineer recommendations.
3. The following corrections to the recording copies of the final plat:
 - a. *ADD: Stream setbacks to the plat and the following note: "There shall be no clearing, grading, construction or disturbance of vegetation in the stream setback easement except as permitted by Clay County".*
 - b. *ADD: 7.5' wording on each side of the utility easement (UE) between Lots 1 and*



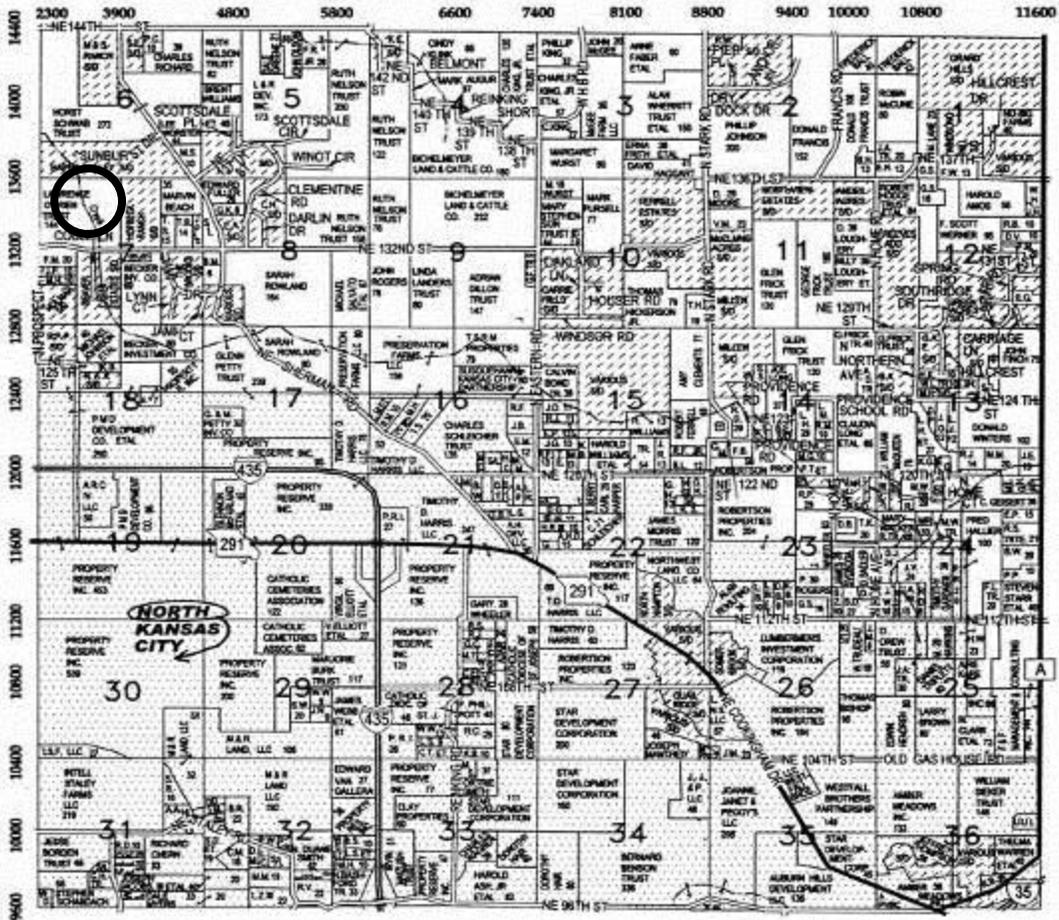
Report to Planning & Zoning Commission

Clay County, Missouri

Attachments

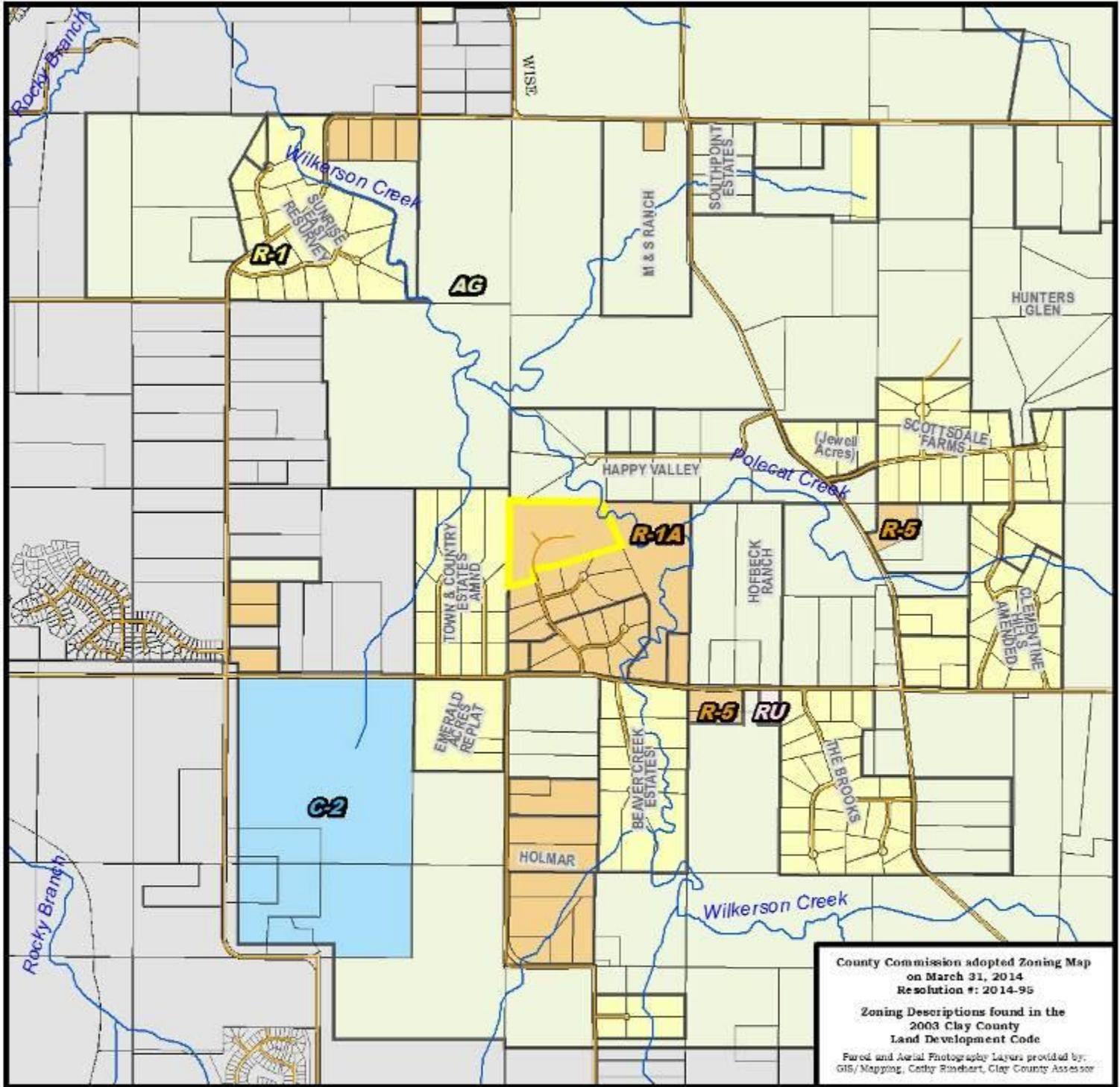
June 15-114F – Houston Hills Attachment A - Vicinity Map

TOWNSHIP 52N • RANGE 32W



June 15-114F - Houston Hills

Attachment B - Existing Conditions Map



County Commission adopted Zoning Map
on March 31, 2014
Resolution #: 2014-95

Zoning Descriptions found in the
2003 Clay County
Land Development Code

Filed and Aerial Photography Layers provided by:
GIS/Mapping, Cathy Rindhart, Clay County Assessor

Planning & Zoning Department

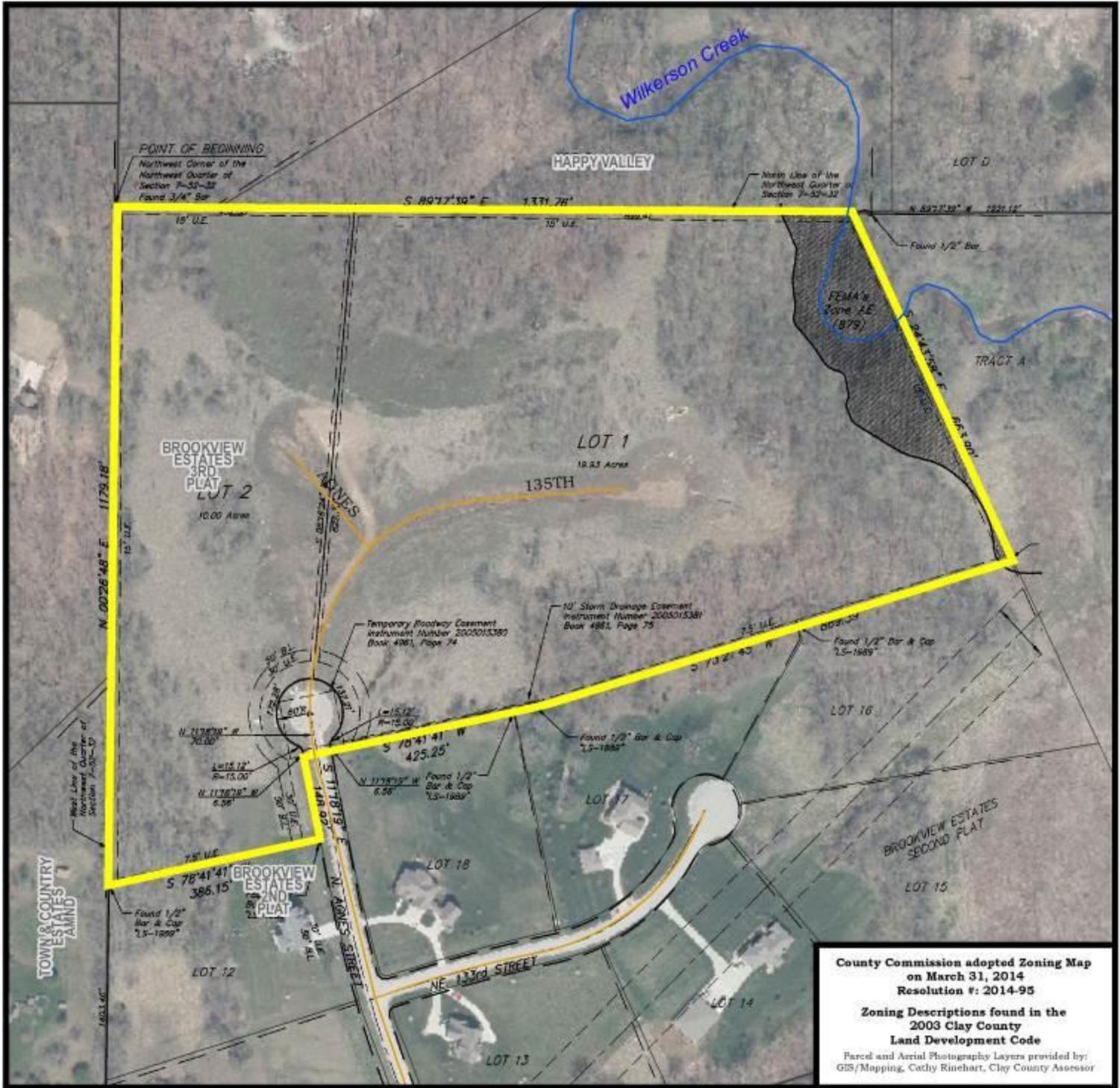
1 inch = 2,000 feet
1 inch = 0.38 miles

LEGEND

- | | | | | |
|---------------|----------------|-------------------|-------------------------------------|------------------|
| Property Line | Roads | Subdivisions | Overlay Districts | Zoning Districts |
| Streams (EPA) | Interstates | City Limits | CD (Conservation District) | C-1 |
| Railroads | State Highways | Parks | POD (Preservation Overlay District) | C-2 |
| Highway Ramps | Local Roads | County Boundaries | PUD (Planned Unit Development) | C-3 |
| | | | | R-1 |
| | | | | R-1A/R-5 |
| | | | | R-1B/RU |
| | | | | R-3 |
| | | | | GP |

June 15-114F – Houston Hills

Attachment C - Site Plan Map



County Commission adopted Zoning Map on March 31, 2014
 Resolution #: 2014-95
 Zoning Descriptions found in the 2003 Clay County Land Development Code
 Parcel and Aerial Photography Layers provided by: GIS/Mapping, Cathy Rinehart, Clay County Assessor

Map Document: (G:\GIS\Project_Files\Vacinity Map - 8 x 11 P.mxd) 05/14/2015 - 04:39:38AM

Planning & Zoning Department

LEGEND

Property Line	Streams (EPA)	Railroads	Interstates	Subdivisions
Streams (EPA)	State Highways	Local Roads	City Limits	Parks
Railroads	Local Roads	Highway Ramps	County Boundaries	